

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

	X	
ARTISAN MANUFACTURING CORPORATION,	:	
	:	
Plaintiff,	:	07-cv-11278 (WHP)
	:	
v.	:	
	:	
ALL GRANITE & MARBLE CORPORATION,	:	
	:	
Defendant.	:	
	:	
	:	
	X	

DECLARATION OF JON CHIDO, ESQ. IN SUPPORT OF DEFENDANT'S
OPPOSITION TO PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION

I, Jon A. Chiodo, Esq., do hereby state as follows:

1. I am an attorney with the law firm of Hoffmann & Baron, LLP, a position that I have held since April 2007. Hoffmann & Baron, LLP has been retained by the Defendant All Granite & Marble Corporation (hereinafter, "AGM"), in connection with this Action.
2. Attached as Exhibit A to this Declaration is a true and accurate copy of a letter received by AGM from Artisan Manufacturing Corporation (hereinafter, "Artisan") on or about December 17, 2007.
3. Attached as Exhibit B to this Declaration is a true and accurate copy of a letter sent on behalf of AGM to Artisan on or about December 20, 2007.
4. On January 9, 2008, Robert Deja, general manager of AGM, notified us that AGM had been served with a Complaint in this Action. That afternoon, Ludomir Budzyn, a partner at Hoffmann & Baron, and I telephoned Artisan's attorney, Louis Ederer regarding this matter.

5. Mr. Ederer informed Mr. Budzyn that an Artisan sink was on display at AGM's South Plainfield showroom, and thus they filed the action and were considering filing a motion for a preliminary injunction. Mr. Budzyn informed Mr. Ederer that he would investigate this matter, and if a sink was present it would immediately be removed.
6. Immediately after the telephone call with Mr. Ederer was complete, Mr. Budzyn and I telephoned Robert Deja regarding the allegation of the Artisan sink. Robert Deja confirmed that the sink was present. We instructed Robert Deja to remove the sink immediately, which he stated that he would do first thing on the morning of January 10, 2008.
7. The evening of January 9, 2008, I wrote an email to Mr. Ederer, informing him that AGM would immediately be removing the Artisan sink from its showroom, and offering to enter into written assurances that no Artisan displays would be used by AGM. Attached as Exhibit C to this Declaration is a true and accurate copy of an email from Jon A. Chiodo to Louis Ederer, dated January 9, 2008 at 5:32 p.m.
8. At 8:42 p.m. on January 9, 2008, John Maltbie, Esq., attorney for Artisan, sent an email to me informing that Artisan would be filing the Order to Show Cause and related papers at 3:00 p.m. on January 10, 2008. Attached as Exhibit D to this Declaration is a true and accurate copy of an email from John Maltbie to Jon Chiodo.
9. On January 10, 2008 at 1:07 p.m., I sent a letter to Mr. Maltbie and Mr. Ederer via email and facsimile, confirming that the Artisan sink had been removed from the AGM showroom. Attached as Exhibit E to this Declaration is a true and accurate copy of an email with attached letter dated January 10, 2008 from Jon Chiodo to Louis Ederer and John Maltbie.
10. On January 10, 2008 at 1:50 p.m., Mr. Ederer sent an email to me stating that, despite the removal of the Artisan sink, Artisan would be proceeding with the

instant Order to Show Cause. Attached as Exhibit F to this Declaration is a true and accurate copy of an email dated January 10, 2008 from Louis Ederer to Jon Chiodo.

11. Attached as Exhibit G to this Declaration is a true and accurate copy of documents bearing Bates labels ART 0022-31, and appearing to be a report drafted by Artisan's private investigator, Allison Davies, in connection with this Action.
12. Attached as Exhibit H to this Declaration is a true and accurate copy of documents bearing Bates labels ART 0032-42, and appearing to be a series of photographs taken by and labeled by Artisan's private investigator, Allison Davies, in connection with this Action.
13. Attached as Exhibit I to this Declaration is true and accurate copy of documents bearing Bates labels ART 0218, and appearing to be an email from Artisan's sales representative (Joseph Amabile) to AGM's representative (Robert Deja).
14. Attached as Exhibit J to this Declaration is a true and accurate copy of an excerpt from AGM's request for the Production of Documents and Things, requesting production of all documents related to any agreements between Artisan and AGM. To date, no such agreements have been produced.
15. Attached as Exhibit K to this Declaration is a true and accurate copy of documents bearing Bates labels ART 0244-46, and appearing to be a Declaration of Alice Anderson in support of Artisan's claims. This document was produced to AGM on January 31, 2008. Artisan has not produced any other Declarations of any other AGM customers.
16. Attached as Exhibit L to this Declaration is a true and accurate copy of a document bearing Bates label ART 0075, and appearing to be an advertisement for Artisan "Premium Undermount Heavy Gauge High Quality Sinks".

17. Attached as Exhibit M to this Declaration are true and accurate copies of print-outs from two web-pages: www.irawoods.com and www.artisansinks.com, which purport to sell Artisan brand sinks. Notably, the sinks clearly do not have the Artisan fleur-de-lis logo printed inside the bowl.
18. Attached as Exhibit N to this Declaration are true and accurate copies of print-outs from the www.irawoods.com web-site, purporting to sell Artisan brand sinks. Contrary to the previous exhibit (Exhibit M), on these two sinks, the Artisan fleur-de-lis logo is clearly visible printed inside the bowl.
19. Attached as Exhibit O to this Declaration is a true and accurate copy of documents bearing Bates labels ART 0114-16, and appearing to be a record of an IAPMO Certification for Artisan sink products, including both 16 and 18 gauge sinks.
20. Attached as Exhibit P to this Declaration are true and accurate copies of excerpts from the Deposition of Joseph Amabile, taken February 7, 2008. Pages 61-62 and 122-124 refer to the specification sheet for a sink alleged to originate at All Granite & Marble's showroom. Pages 84 and 93 of Exhibit P refer to lack of any records of alleged customer complaints. Pages 99-101 and 104-105 refer to customers who allegedly contacted Artisan to purchase a sink grid.
21. Attached as Exhibit Q to this Declaration are true and accurate copies of excerpts from the Deposition of Allison Davies, taken February 6, 2008.
22. Attached as Exhibit R to this Declaration are true and accurate copies of excerpts from the Deposition of Robert Deja, taken February 11, 2008.
23. Attached as Exhibit S to this Declaration are true and accurate copies of excerpts from the Deposition of Alex Han, taken February 5, 2008.
24. Attached as Exhibit T to this Declaration are true and accurate copies of Defendant's Exhibits 45-66, which are showing the widespread use of the

trademark "ARTISAN" and crown trademarks in various areas of commerce, including sinks (i.e., Franke Artisan Sink).

25. Attached as Exhibit U to this Declaration is a true and accurate copy of Trademark Application No. 77316683, which is Artisan's fleur-de-lis trademark application.

I swear that the foregoing is true and accurate under penalty of perjury.

Dated: 2/20/08

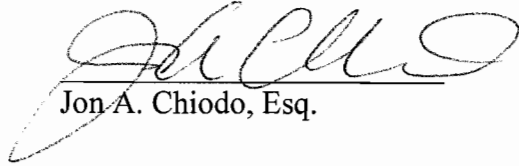

Jon A. Chiodo, Esq.

EXHIBIT A

ARNOLD & PORTER LLP

Louis S. Ederer
Louis.Ederer@aporter.com
212.715.1102
212.715.1399 Fax
399 Park Avenue
New York, NY 10022-4690

December 14, 2007

FEDERAL EXPRESS

Mr. Jaroslaw Wojtach
All Granite & Marble Corp.
1-a Mount Vernon Street
Ridgefield Park, New Jersey 07660

Re: Artisan Manufacturing Corp. v. All Granite & Marble Corp.

Dear Mr. Wojtach:

We represent Artisan Manufacturing Corporation ("Artisan"), manufacturer of stainless steel sinks and accessories manufactured and distributed under the ARTISAN (U.S. Trademark Reg. No. 2,964,024) and Fleur-De-Lis Design (U.S. Trademark App. Ser. No. 77/316,683) trademarks (collectively the "Artisan Marks"). Since 2003, Artisan has manufactured, marketed and sold its products under the Artisan Marks, and has built substantial goodwill in these marks and an enviable reputation for selling the highest quality sink products and accessories.

Our client has recently learned that your company, formerly an authorized distributor of ARTISAN brand products, has been promoting and offering to potential customers genuine ARTISAN sinks, but is actually installing inferior sinks of unknown origin that bear a logo confusingly similar to Artisan's Fleur-De-Lis Design Mark. Such conduct on your part is a deliberate effort to deceive consumers and take advantage of the goodwill symbolized by the Artisan Marks and Artisan's products. Moreover, such conduct constitutes counterfeiting, trademark infringement and false advertising under federal and state law, and is causing Artisan irreparable harm.

Accordingly, our client has filed the enclosed complaint in United States District Court for the Southern District of New York against your company, and is seeking preliminary and permanent injunctive relief against your continued misuse of ARTISAN brand products and the Artisan Marks. In addition to injunctive and other equitable relief, the complaint seeks an award of three times your company's profits, or Artisan's lost profits, on your sale of these counterfeit products, and any other goods and services you are selling in conjunction therewith and \$1 million in statutory damages, plus attorney's fees.

If you wish to avoid litigation over this matter, our client demands that you immediately agree to do the following:

- (i) Cease and desist from all further use of the Artisan Marks;

ARNOLD & PORTER LLP

Mr. Jaroslaw Wojtach
December 14, 2007
Page 2

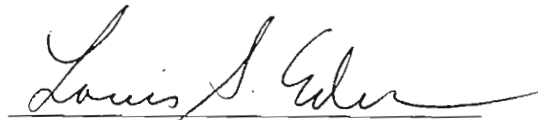
- (ii) Remove all genuine ARTISAN brand sinks and any promotional materials therefor from your showrooms;
- (iii) Cease and desist from any further manufacturing, importation, advertising, offering for sale, sale or distribution of any products bearing marks confusingly similar to the Artisan Marks;
- (iv) Provide an accounting, with supporting documentation, for all sales or installations of sinks bearing marks confusingly similar to the Artisan Marks, including revenues earned from installations involving such sinks;
- (v) Retain all sinks and other products bearing marks confusingly similar to the Artisan Marks remaining in your inventory, and segregate all such inventory so that it can be inspected by Artisan;
- (vi) Provide a list, including contact information, of each customer who purchased the infringing sinks from your company, either alone or as part of an installation; and
- (viii) Provide the name and contact information for all persons or companies who have supplied the infringing sinks to your company, as well as copies of all purchase orders, shipping documents, invoices and correspondence exchanged with any such parties.

We require your written response confirming that you will comply with the foregoing demands by December 20, 2007. If we do not receive such assurances, our client will proceed to serve the complaint and take all measures necessary to protect its valuable trademark rights, including a motion for preliminary injunctive and other equitable relief. All rights and remedies that may be available to Artisan are hereby expressly reserved. Please direct any response to this letter to the undersigned.

Yours very truly,

ARNOLD & PORTER LLP

By:


Louis S. Ederer

cc: Artisan Manufacturing Corporation

EXHIBIT B

HOFFMANN & BARON, LLP

ATTORNEYS AT LAW

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(516) 822-3550
FAX (516) 822-3582

COUNSEL
GORDON F. BELCHER*

SCIENTIFIC ADVISOR
DANIEL A. SCOLA, SR., Ph.D.

* NOT ADMITTED IN NJ
† SENIOR ATTORNEY

December 20, 2007

VIA FACSIMILE

Louis S. Ederer
Arnold & Porter, LLP
399 Park Avenue
New York, NY 10022-4690

Re: Artisan Manufacturing Corp. v. All Granite & Marble Corp.

Dear Mr. Ederer:

We represent All Granite & Marble Corporation ("AGM"), a manufacturer, distributor and installer of countertops. We are in receipt of your letter and attached Complaint dated December 14, 2007, and sent on behalf of your client, Artisan Manufacturing Corporation ("Artisan").

At the forefront, we wish to note that the only time AGM has ever commercially handled Artisan sinks was over a period of four months in early 2006, and only after it had rightfully purchased a limited quantity of sinks directly from Artisan. AGM never entered into any formal distributorship agreement or any other relationship with Artisan. In addition, AGM has never sold Artisan sinks; rather the few Artisan sinks which AGM purchased were given to customers as part of a promotion.

Since mid-2006, AGM has not promoted, sold, or distributed any Artisan products, nor has AGM displayed any Artisan products in its showroom. AGM has no Artisan advertising material or brochures, and does not distribute any products bearing the name "ARTISAN" or bearing any other marks alleged to be owned by Artisan, including the "Fleur-De-Lis" design referenced in your letter.

AGM does not, nor has it ever installed "inferior" sinks of an "unknown origin." AGM manufactures two lines of sinks, a porcelain sink line and a stainless steel sink line. The porcelain sink line is promoted under the brand "Di Monte", while the stainless steel sink line is unbranded. AGM does not sell these sinks, rather, these sinks are provided under promotion to

Louis S. Ederer
December 20, 2007
Page 2

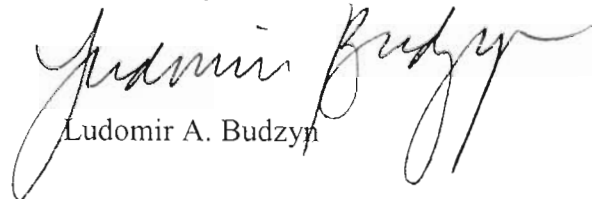
customers who purchase countertops from AGM. Both lines are high-quality sinks and bear the present crown logo as depicted in Exhibit C to the Complaint attached to your letter. AGM's present crown logo is not confusingly similar to the "Fleur-De-Lis" design for which your client has filed Trademark Application No. 77316683.

While we disagree with your assertions of (1) Artisan's ownership of a valid trademark, and (2) any wrongdoing on the part of AGM, in an effort to avoid litigation, AGM is willing to cease use of its present crown logo on its sink products.

In order to effectively discontinue use of the present crown logo, AGM will require a reasonable phase-out period. The phase-out period will allow AGM to not only disseminate any existing sinks bearing the present crown logo, but also to develop and implement a new logo for AGM's sinks. In order to accomplish these changes, we request a phase-out period of approximately six months. Thus, as of July 1, 2008, AGM will cease using the present crown logo referred to in your letter and depicted in the Complaint.

We trust that this resolves all issues raised in your letter, and eliminates the need to formally serve the attached Complaint. Should you wish to discuss this matter further, please feel free to contact me.

Very truly yours,



Ludomir A. Budzyn

LAB/
cc: All Granite & Marble Corp.

JOB NO. _____

DATE: December 20, 2007

FACSIMILE TRANSMISSION COVER SHEET

TO: Louis S. Ederer
Arnold & Porter, LLP

FAX NO.: 1-212-715-1399

FROM: Ludomir A. Budzyn

SENDER: Judith Post

RE: Artisan Manufacturing Corp. v. All Granite & Marble Corp.

HOFFMANN & BARON, LLP
ATTORNEYS AT LAW

☐ NY OFFICE

6900 JERICHO TURNPIKE
SYOSSET, N.Y. 11791

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TOTAL NUMBER OF PAGES: 3
(Including Cover)

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* * * TRANSMISSION RESULT REPORT (IMMEDIATE TX) (DEC. 20. 2007 2:04PM) * * *

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FAX HEADER 2:

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DEC. 20.	2:03PM		RightFax	G3ES	1111"	P. 3 OK		3764

# : BATCH	C : CONFIDENTIAL	\$: TRANSFER	P : POLLING
M : MEMORY TX	L : SEND LATER	@ : FORWARDING	= : ECM
S : STANDARD	D : DETAIL	F : FINE	O : 300dpi
U : SUPER FINE	X : EXTRA SUPER FINE	b : COLOR	> : REDUCTION
!\$: REMOTE TRANSFER	B : FAX ON DEMAND	* : PC	+ : ROUTING
Q : RECEPT. NOTICE REQ.	A : RECEPT. NOTICE		

EXHIBIT C

Chiodo, Jon A.

From: Chiodo, Jon A.
Sent: Wednesday, January 09, 2008 5:32 PM
To: 'louis.ederer@aporter.com'
Cc: Budzyn, Lou
Subject: Artisan Manufacturing v. All Granite & Marble Corp.

Dear Louis:

As you discussed with Lou Budzyn this afternoon, we have contacted our client and inquired about its showroom displays. There are no Artisan sinks or any other Artisan products on display in our client's main showroom, located in Ridgefield Park, NJ. We have discovered, however, that there was one Artisan sink, which was part of an older granite countertop display, in its satellite showroom, located in South Plainfield, NJ. We recognize that this is contrary to the information provided to you in our letter of December 20, 2007, and we apologize for this misinformation.

The Artisan sink in its South Plainfield, NJ showroom will be removed on January 10, 2008 (tomorrow) at the first possible time. No Artisan products or information will be on display in any of our client's showrooms, brochures, website, or any advertising.

In an effort to satisfy this matter, we are willing to enter into any written assurances that will satisfy your client as to fact that our client will not use any Artisan displays or advertising from now into the future.

Regards,

Jon A. Chiodo, Esq.
Hoffmann & Baron, LLP
6 Campus Drive
Parsippany, NJ 07054
973-331-1700
Fax: 973-331-1717

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EXHIBIT D

Chiodo, Jon A.

From: John_Maltbie@aporter.com
Sent: Wednesday, January 09, 2008 8:40 PM
To: JACDocket
Cc: Louis_Ederer@aporter.com
Subject: Artisan Mfg. Corp. v. All Granite & Marble Corp., 07 cv 11278 (SDNY)

Attachments: Order to Show Cause.pdf; Memo of Law.pdf; Ederer Declaration.pdf; Han Declaration.pdf; Davies Declaration.pdf; Amabile Declaration.pdf; Muller Declaration.pdf



Order to Show Cause.pdf (259 K...



Memo of Law.pdf (2 MB)



Ederer Declaration.pdf (1,009



Han Declaration.pdf (7 MB)



Davies Declaration.pdf (146 K



Amabile Declaration.pdf (2 MB)



Muller Declaration.pdf (1 ME

In connection with the above-referenced action, attached, for the attention of Mr. Budzyn, please find the following:

1. Order to Show Cause for a Preliminary Injunction, Temporary Restraining Order and Order for Expedited Discovery; 2. Memorandum of Law in Support of Artisan's Motion for a Preliminary Injunction, Temporary Restraining Order and Order for Expedited Discovery; 3. Ederer Declaration in Support of Artisan's Motion for a Preliminary Injunction, Temporary Restraining Order and Order for Expedited Discovery; 4. Han Declaration in Support of Artisan's Motion for a Preliminary Injunction, Temporary Restraining Order and Order for Expedited Discovery; 5. Davies Declaration in Support of Artisan's Motion for a Preliminary Injunction, Temporary Restraining Order and Order for Expedited Discovery; 6. Amabile Declaration in Support of Artisan's Motion for a Preliminary Injunction, Temporary Restraining Order and Order for Expedited Discovery; and 7. Muller Declaration in Support of Artisan's Motion for a Preliminary Injunction, Temporary Restraining Order and Order for Expedited Discovery;

We intend to present the Order to Show Cause to the Order and Judgments Clerk at approximately 3:00 pm tomorrow, January 10, 2008.

Regards,

John Maltbie

Arnold & Porter LLP
399 Park Avenue
New York, New York 10022
Ph: (212) 715-1103
Fx: (212) 715-1399

john.maltbie@aporter.com

(See attached file: Order to Show Cause.pdf) (See attached file: Memo of Law.pdf) (See attached file: Ederer Declaration.pdf) (See attached file: Han Declaration.pdf) (See attached file: Davies Declaration.pdf) (See attached file: Amabile Declaration.pdf) (See attached file: Muller Declaration.pdf)

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<http://www.arnoldporter.com>

EXHIBIT E

Chiodo, Jon A.

From: Chiodo, Jon A.
Sent: Thursday, January 10, 2008 1:07 PM
To: 'louis.ederer@aporter.com'; 'John_Maltbie@aporter.com'
Cc: Budzyn, Lou; Schroeder, R. Glenn
Subject: Artisan Mfg v. All Granite & Marble

Attachments: 1-10-08 Letter to Ederer.pdf

Dear Louis,

Attached please find a letter regarding the above-referenced matter, a copy of which is also being sent via facsimile.

Regards,
Jon



1-10-08 Letter to
Ederer.pdf (...)

Jon A. Chiodo, Esq.
Hoffmann & Baron, LLP
6 Campus Drive
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973-331-1700
Fax: 973-331-1717

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LAUREN T. EMR*
LINDA D. CHIN*
JON A. CHIODO
ELLEN N. HOLLCROFT*
ANNA C. CHAU*
ANGELA M. COXE

PATENT AGENTS

ANDREW H. BERKS, Ph.D.

January 10, 2008

VIA FACSIMILE

CONFIRMATION BY E-MAIL

Louis S. Ederer
Arnold & Porter, LLP
399 Park Avenue
New York, NY 10022-4690

**Re: Artisan Manufacturing Corp. v. All Granite & Marble Corp.
Our Client Ref.: 1569-14**

Dear Louis:

Further to Jon Chiodo's e-mail of yesterday afternoon, this is to confirm that our client, All Granite & Marble ("AGM"), has removed the single countertop display at its South Plainfield, New Jersey showroom which included an Artisan sink.

In reviewing your papers, and based on our conversation of yesterday, there appear to be two basic issues: 1) the alleged improper use of Artisan materials; and, 2) the alleged improper use of AGM's crown logo on its sink. With respect to the first issue, AGM, as previously indicated in our correspondence, has not and is not distributing any Artisan literature or brochures. Moreover, AGM does not advertise any Artisan products in its own literature or on its web-site. Based on the supporting declarations sent over with the Order to Show Cause, multiple investigations have been conducted at AGM's facility. The only violation alleged against AGM is the inclusion of an Artisan sink in its South Plainfield, New Jersey showroom. As acknowledged by your papers, AGM had a right to distribute Artisan sinks which it legally purchased. In addition, AGM had the right to include a display model in its showroom. The first demand made by Artisan to remove the sink was in your December 14, 2007 letter. On today's date, within less than one month from your December 14, 2007 letter, the sink has been removed. We do not necessarily agree with the need to remove the sink, but in the interest of trying to resolve issues raised herein, our client has promptly removed the sink. AGM's showrooms are open to the public. Your client can investigate at any time during normal business hours AGM's displays.

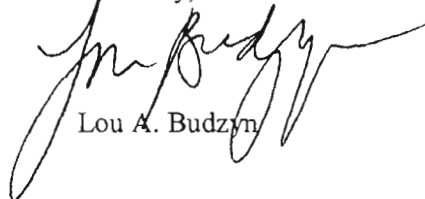
Second, as for the use of the AGM crown logo, we believe that the crown logo is substantially different and distinguishable from your client's fleur-de-lis design. Again, as

Louis S. Ederer
January 10, 2008
Page 2 of 2

indicated in our December 20, 2007 letter, in the interest of avoiding issues raised herein, our client is willing to change the crown logo. We believe a phase-out period is reasonable to permit the change. As set forth in our December 20, 2007 letter, we believe a six-month phase-out period, to July 1, 2008, is reasonable.

In view of the foregoing, we believe the raised issues can be resolved between the parties without the necessity of filing an Order to Show Cause. We stand willing and ready to discuss these and any other issues that may be present.

Sincerely,

A handwritten signature in black ink, appearing to read "Lou Budzyn", with a long horizontal flourish extending to the right.

Lou A. Budzyn

LAB/jp

EXHIBIT F

Chiodo, Jon A.

From: Louis_Ederer@aporter.com
Sent: Thursday, January 10, 2008 1:51 PM
To: Chiodo, Jon A.
Cc: Schroeder, R. Glenn; John_Maltbie@aporter.com; Budzyn, Lou; louis.ederer@aporter.com
Subject: Re: Artisan Mfg v. All Granite & Marble

Dear Sirs:

Your letter does not satisfactorily address the issues raised in our order to show cause, nor have you responded to the demands set out in our December 14 letter. Accordingly, we are proceeding with the filing of our order to show cause as planned.

Yours truly,

Louis S. Ederer
Arnold & Porter LLP
399 Park Avenue
New York, New York 10022
Tel: 212-715-1102
Fax: 212-715-1399
Email: louis.ederer@aporter.com
www.arnoldporter.com

"Chiodo, Jon
A."
<jchiodo@hoffmannbaron.com>

01/10/2008
01:06 PM

<louis.ederer@aporter.com>,
<John_Maltbie@aporter.com>

To

cc

"Budzyn, Lou"
<lbudzyn@hoffmannbaron.com>,
"Schroeder, R. Glenn"
<GSchroeder@hoffmannbaron.com>

Subject

Artisan Mfg v. All Granite &
Marble

Dear Louis,

Attached please find a letter regarding the above-referenced matter, a copy of which is also being sent via facsimile.

Regards,
Jon

Jon A. Chiodo, Esq.
Hoffmann & Baron, LLP
6 Campus Drive
Parsippany, NJ 07054
973-331-1700
Fax: 973-331-1717

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<<1-10-08 Letter to Ederer.pdf>> [attachment "1-10-08 Letter to Ederer.pdf" deleted by Louis Ederer/Atty/NY/ArnoldAndPorter]

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Louis Ederer	Louis_Ederer@aporter.com
Arnold & Porter LLP	Telephone: 212-715-1102
399 Park Avenue	Fax: 212-715-1399
New York, NY 10022-4690	

For more information about Arnold & Porter LLP, click here:
<http://www.arnoldporter.com>

EXHIBIT G

ABACUS SECURITY

MATERIAL PREPARED FOR AN ATTORNEY

CASE # : 07-0323

DATE: 12-6-07

CASE NAME: ALL GRANITE AND MARBLE INV: AD

This investigation was initiated by Alisa Cahan of Arnold & Porter LLP. The purpose of this investigation was to visit ALL GRANITE and MARBLE CORPORATION in South Plainfield, New Jersey and confirm whether counterfeit Artisan stainless steel sinks were being sold or included in a promotion offering a free sink with countertop purchase.

On November 2, 2007 investigators AO and AD visited the Artisan Manufacturing Corporation located at 237 Frelinghuysen Ave, Newark, New Jersey. The investigators received product training and literature concerning Artisan 16 gauge stainless steel sinks from Chuck Volga, National Sales Manager, and Joseph Amabile, Regional Sales Manager.

On November 6, 2007, AO and AD visited the ALL GRANITE and MARBLE CORPORATION, 5001 Hadley Road, South Plainfield, New Jersey, 07080, 908-222-4000. This retail store and warehouse is located parallel to Hadley Road in an industrial park. A large gray and blue sign stating the company name stands on the front lawn area and is in full view to drivers in both directions.

The retail area is divided into two rooms. The front room is approximately 5,000 square feet with a marble and granite tile and table displays at the front and left with a bank of approximately 6 desks along the right wall. The rear area of the front room is a waiting area for customers. On the left wall there is a small entry to the second room and bathrooms. This second room has an 'L' shaped granite counter top along the rear and left wall with several sinks in various designs on display. Each sink had a 4x6 piece of paper with a serial number and a price written on it.

CONFIDENTIAL

ART 00022

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Protocol at ALL GRANITE is to pick your materials from the displays then wait in a line to speak to a representative sitting at the right wall of desks. AD spoke with a Peter Bucko, male, 25 years old, thin with blonde hair and an eastern European accent. AD provided Mr. Bucko with a type of tile for the countertop and dimensions. He printed out an estimate with the cost to purchase and install the countertop. Mr. Bucko then took AD and AO over to the tile display to discuss pricing and about the installation of sinks. Mr. Bucko, AD and AO moved into the left room with the sink displays. Mr. Bucko stated that a free sink is provided with the installation of a countertop when a coupon from "The Clipper" was provided. He then told the investigators about gauge and banged on two sinks to show the difference in sound. He pointed specifically the "D" shaped double sink with the serial number 8455R and a price of \$250 and said it was a 16 gauge Artisan sink and they were tougher and better then other sinks on the market. AD provided a magazine ad for Artisan from KITCHEN TRENDS magazine and Mr. Bucko said this Artisan sink would be installed with the countertop for free as long as a coupon was provided.

The display sinks were exposed under the countertops and the investigators observed padding on the bottom and sides of the Artisan sink. AD observed the Artisan logo under the 4x6 paper with the printed serial number and price of the sink.

Mr. Bucko provided AD with a sheet containing 8 examples of sinks, four of which were out of stock. Mr. Bucko pointed to a drawing of a double sink with the same serial number 8455R as the one on display. Investigator AD asked to see the actual sink that would be installed to look for any imperfections. Mr. Bucko stated that after an order was placed and the installers made a template, AD could return to the store to inspect the sink and the countertop. Because the sink on display was in pristine condition, investigator AD saw no rational reason to push the matter further.

On November 27, 2007 investigator AD went to All Granite to place an order for a counter top and sink for Joe Amabile under the name Susan Murray. AD met with Chris, a sales representative, to start the order process. Chris is an Eastern European male, 25-28 years old with light brown hair. Mr. Amabile had instructed AD to order 'Golden Beach' granite with a half bull nose edge. Since All Granite does not list by names but by codes Chris suggested 3917 R in the single gold price category.

ART 00023

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AD supplied Chris with the drawing supplied by Mr. Amabile. The drawing measured 35.57 square feet of material equaling \$ 2534.22 for the material \$226.09 for the bull nose edge and \$150.00 for the sink cutout. He also added a charge for sink installation until AD supplied Chris with a coupon from "The Clipper", a coupon circular distributed by mail. The coupon stated a 'free sink' with installation of a kitchen counter top. AD asked Chris what kind of sink it would be. Chris said there was a display in the rear AD could choose from. AD asked more specifically what brand of sink and that on the previous visit AD was told of the Artisan sinks. Chris confirmed that an Artisan sink could be installed. AD and Chris then viewed the sink display. Since Mr. Amabile requested a D bowl, AD confirmed with Chris that the D bowl on display was an Artisan sink. AD and Chris returned to his desk to finalize the order. Chris said that as soon as the template was measured the counter top would be installed 3 days later. AD confirmed with Mr. Amabile that November 29th would be the day to template and countertop removal.

AD requested to see the piece of granite that would be installed. Chris said AD would have to leave the 50% deposit with him first. After agreeing to leave to deposit, Chris took AD to the warehouse area of the store. On the left of the store next to the sink display are a set of double doors going to the warehouse area. This area is approximately 8 to 10 thousand square feet. Granite and marble slabs are arranged by type in groups of 5 in approximately 5 to 6 aisles extending to the rear of the warehouse. Chris showed me 5 slabs to choose from but then couldn't move the slabs because the top slab had a paper template taped to it. He said 'he would pick out a nice one'. AD then asked to see the sinks. Chris said he couldn't show them because they weren't stored in the warehouse. AD again confirmed that an Artisan sink would be installed. AD expressed that she had been there before and discussed with another sales rep about having an Artisan sink installed. Again, Chris confirmed that the Artisan would be installed. Chris told AD that she would be called at the end of the business day on November 28th to confirm the arrival time to Frenchtown for the template measurements and countertop removal. Chris said to have 50% of the total bill in cash or certified check ready at the time of measurement. AD did not leave a deposit.

On November 28th, a representative from All Granite called to AD to finalize a time for templating. On November 29th a crew from All Granite went to Mr. Amabile's house at 134 Tinsmans Road, Frenchtown, NJ.

On November 30th, Mr. Amabile called AD to confirm they came, ripped out the existing countertop and made final measurements for the template. Mr. Amabile paid \$1600 plus an extra \$250 for removal of the countertop for a total of \$1850 in cash. All Granite removed the counter top from the kitchen but left it in Mr. Amabile's drive way.

ART 00024

On December 3, 2007 All Granite called AD to finalize the bill. The final total for 36.95 square feet of material was 2713.03 + 351.35 for the edge + 150 for the sink cutout +350 for the removal. With tax the total came to 3813.89 – 1850 from the deposit.

On December 5th, 2007 All Granite went to Mr. Amabile's house in Frenchtown. Upon installation Mr. Amabile provided All Granite with 1963.89.

CONFIDENTIAL

ART 00025

Jan 31 2008 6:22PM HP LASERJET FAX
Estimate

p. 2

Page 1 of 1



All Granite And Marble Corp.

www.marble.com

5001 Hadley Rd, South Plainfield, NJ 07080
Phone: 908-222-4000 Fax: 908-222-4001**Estimate Id: 55845**Created by: Peter Bucko on 11/06/2007
Last Corrected by: Peter Bucko on 11/06/2007

Client Information	Project Information	Dimensions
Client Name: Suze	Unit Id: 64687	Qty Width Length
Street Address: not provided	Unit Name: Kitchen	1 26 206
City: Staten Island	Application: Countertop	1 26 72
State: NY	Surface Area: 50.19 sqft	
Zip Code: 10301	Backsplash Area: 0.00 sqft	
Contact Phone: 555-555-5555	Total Area: 50.19 sqft	
Cell Phone:	Edge: 23.167 lft	
Work Phone:	Sink Cutout (undermount): 1	
Fax:		

clipped magazine
#3518

	Price Group				
	Single Blue	Double Blue	Single Silver	Double Silver	Single Gold
Sub Total	\$2055.42	\$2237.61	\$2480.53	\$2905.64	\$3512.93
Edge	\$115.84	\$115.84	\$115.84	\$115.84	\$115.84
Backsplash	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Cutout	-\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
Custom	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$2321.26	\$2503.45	\$2746.37	\$3171.48	\$3778.78
Tax	\$200.21	\$215.92	\$236.87	\$273.54	\$325.92
Grand Total	\$2521.47	\$2719.37	\$2983.24	\$3445.02	\$4104.70

Prices Include Installation

Selected Colors					
	180 colors in group	420 colors in group	350 colors in group	230 colors in group	55 colors in group

Your Edge	Other Options						
Straight	1/4 Bevel	Ogee	1/4 Round	1/4 Round T & B	Full Bullnose	Half Bevel	Half Bullnose
	+\$46.33	+\$231.67	+\$46.33	+\$162.17	+\$208.50	+\$115.84	+\$139.00

THIS ESTIMATE AND ALL TECHNICAL DETAILS WILL BE MORE ACCURATELY EVALUATED AFTER ON-SITE MEASUREMENTS. On-site measurements are final! Changes in overall square footage of the counter may result in increase of the price. Price includes templating, fabrication, delivery, installation, and sealing of the countertop unless requested otherwise. Cook top cutout and faucet drillings (up to 3 holes, standard diameter 1 3/8 inch) are included in the price.

50% DEPOSIT IS REQUIRED AT THE TEMPLATING time and the balance is due no later than on the date of installation. The price does not include removal of the existing countertops. We do not engage in any electrical, plumbing, carpentry, caulking or tile work. Prices valid for ground floor installation only. Buyer assumes full financial responsibility for fabrication of replacement top if the original countertop doesn't fit because of changes in cabinet's placement or any other alterations in dimensions of countertops that were requested by the buyer after templating. Cabinets must be leveled.

WE DO NOT ACCEPT CREDIT CARDS. If project is templated but not completed by All Granite And Marble Co. there is a charge of \$234 payable at the time of cancelling the order. Please call us after template to confirm the final price. **Slab selection can be done only between Monday and Friday from 9:30 am to 4:30 pm. KIDS ARE NOT ALLOWED IN THE YARD.** If the deposit is paid with a regular check, there will be an extra wait time of 5 business days before the start of manufacturing process.

-original estimate-

http://erpssp/print_estimate.php?oid=55845&pict=0&disc=0

11/6/2007

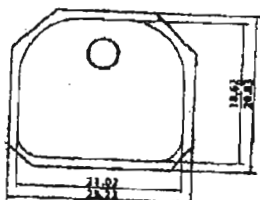
ART 00026

CONFIDENTIAL

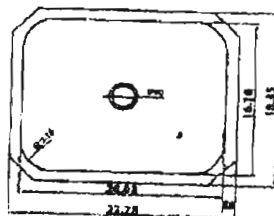
Jan 31 2008 6:22PM HP LASERJET FAX

p. 3

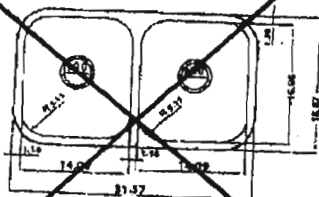
All GRanite & Marble



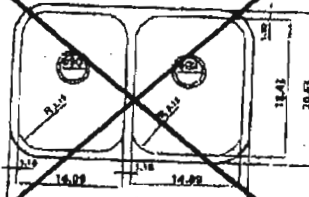
AF - 590 - 529 = \$140



AF - 5747 = \$140

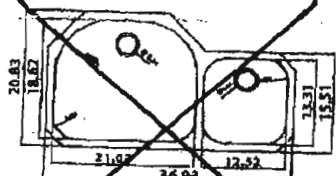


AF - 8400 = \$250

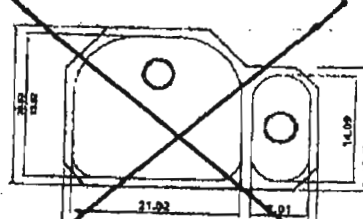


AF - 802X524B = \$250

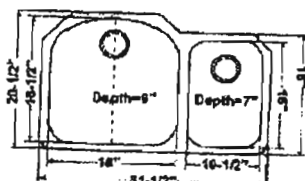
OUT-OF-STOCK



AF - 938X529 = \$250



AF - 798-529 = \$250



8455R = \$250

KHL-2210 WHITE = \$60



Kohler Caxton
14 in. X 17 in.
Under Counter Mounted
COLOR: WHITE

ART 00027

CONFIDENTIAL

Jan 31 2008 6:23PM HP LASERJET FAX

p. 4

Estimate

11/28/2007 10:07 AM FROM: Fax All Granite and Marble-South Plainfield TO: 812126951272 PAGE: 002 OF 003

Page 1 of 2



All Granite And Marble Corp.

www.marble.com

5001 Hadley Rd, South Plainfield, NJ 07080
Phone: 908-222-4000 Fax: 908-222-4001

Estimate Id: 58015

Created by: Peter Bucko on 11/27/2007
Last Corrected by: Peter Bucko on 11/27/2007

Client Information	Project Information	Dimensions
Client Name: SUSAN MURRAY	Unit Id: 67158	Qty Width Length
Street Address: 134 TINSMAN RD.	Unit Name: KITCHEN	1 26 41
City: FRENCHTOWN	Application: Countertop	1 26 47
State: NJ	Surface Area: 35.57 sqft	1 26 90
Zip Code: 08825	Backsplash Area: 0.00 sqft	1 26 19
Contact Phone: 646-772-8377	Total Area: 35.57 sqft	
Cell Phone:	Edge: 22.916 Inft	
Work Phone:	Sink Cutout (undermount): 1	
Fax:		

	Price Group				
	Single Blue	Double Blue	Single Silver	Double Silver	Single Gold
Sub Total	\$1501.27	\$1630.39	\$1802.54	\$2103.82	\$2534.22
Edge	\$226.09	\$226.09	\$226.09	\$226.09	\$226.09
Backsplash	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Cutout	\$150.00	\$150.00	\$150.00	\$150.00	\$150.00
Custom	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Total	\$1877.36	\$2006.48	\$2178.63	\$2479.91	\$2910.31
Tax	\$131.42	\$140.45	\$152.50	\$173.59	\$203.72
Grand Total	\$2008.78	\$2146.93	\$2331.13	\$2653.50	\$3114.03
Prices Include Installation					
Selected Colors	3917R-726				
	180 colors in group	420 colors in group	350 colors in group	230 colors in group	35 colors in group

Your Edge:	Other Options:						
Half Bullnose	Straight	1/4 Bevel -\$65.67	Ogee +\$117.68	1/4 Round -\$65.67	1/2 Round T & B +\$48.92	Full Bullnose +\$94.76	Half Bevel +\$3.09

THIS ESTIMATE AND ALL TECHNICAL DETAILS WILL BE MORE ACCURATELY EVALUATED AFTER ON-SITE MEASUREMENTS. On-site measurements are final. Changes in overall square footage of the counter may result in increase of the price. Price includes templating, fabrication, delivery, installation, and sealing of the countertop unless requested otherwise. Cook top cutout and faucet drillings (up to 3 holes, standard diameter 1 3/8 inch) are included in the price.

30% DEPOSIT IS REQUIRED AT THE TEMPLATING time and the balance is due no later than on the date of installation. The price does not include removal of the existing countertops. We do not engage in any electrical, plumbing, carpentry, caulking or tile work. Prices valid for ground floor installation only. Buyer assumes full financial responsibility for fabrication of replacement top if the original countertop doesn't fit because of changes in cabinet's placement or any other alterations in dimensions of countertops that were requested by the buyer after templating. Cabinets must be leveled.

WE DO NOT ACCEPT CREDIT CARDS. If project is templated but not completed by All Granite And Marble Co. there is a charge of \$236 payable at the time of cancelling the order. Please call us after template to confirm the final price. Slab selection can be done only between Monday and Friday from 9:30 am to 4:30 pm. KIDS ARE NOT ALLOWED IN THE YARD. If the deposit is paid with a regular check, there will be an extra wait time of 5 business days before the start of manufacturing process.

Golden Beach
half bullnose

3917 R = stone code

2 holes for sink
light faucet
left - soap

http://erp/print_estimate.php?oid=58015&pict=0&disc=1

11/28/2007

ART 00028

CONFIDENTIAL

Peter

250 + 100
3963.69

3813.80
1850.00

1963.89
Cash
left
check

Dec

973
590
7487

Jan 31 2008 6:24PM HP LASERJET FAX

p. 5

11/28/2007 10:07 AM FROM: Fax All Granite and Marble-South Plainfield TO: 912126951272 PAGE: 003 OF 003
 Estimate

Page 2 of 2

5001 Hadley Rd,
 South Plainfield, NJ 07080
 Phone 908-222-4000
 Fax: 908-222-4001



ORDER PROCESS

1. **Visit one of our locations (Ridgefield Park, NJ. South Plainfield, NJ. Stroudsburg, PA) to select your edge profile and color**

Please note: NO CHILDREN ALLOWED IN THE YARD.

We have samples of all edges and thousands of full size granite and marble slabs as well as other natural stones. We recommend to bring samples (e.g. door cabinet's, tile, wallpaper etc.) to help you with the selection. You can *finalize the selection of your slab only after the measurements were taken.*

2. **Get an estimate**
 When visiting our location you can get an estimate simply by providing us with the measurements, layout and the address of the job site. You can also use our online "Get Free Estimate" tool or fax.
3. **Make an appointment for taking measurements**
 When you have made your decision on the color and edge profile you should call the office and schedule an appointment for templating. *The following requirements must be met: all appliances must be on the job site (sink, faucet, cook-top, dishwasher, stove, refrigerator); all cabinets must be fully installed and leveled (old cabinets must have the existing counter top removed – we do not remove old counter tops nor specialize in plumbing or electricity).*
4. **Discuss the details with the technician measuring the project**
 Someone must be on the job site to discuss the technical details of the project with our technician. Have the sink, sample, and 50% deposit ready for the technician (the form of the payment will have effect on the turnaround).
5. **Confirm all details of your project and schedule the installation**
 If you do not plan on visiting our location to make the final selection of the slab (not required on all colors) you should call the office to confirm the final price, edge profile, color selection and schedule the installation date of your project. *Once everything is confirmed the project is being processed by the production department and no changes can be made.*
6. **Installation**
 The final payment is due no later than on the day of the installation. *The final payment must be in the form of a certified check, bank check, or cash. No other forms of payments will be accepted.*

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Jan 31 2008 6:24PM HP LASERJET FAX

p.6

price breakdown

final quote -

36.95 sq feet 271303

+ 351.35 - edge

150.00 - sink at top

350 - removal

3564.38

249.61 tax

3813.89

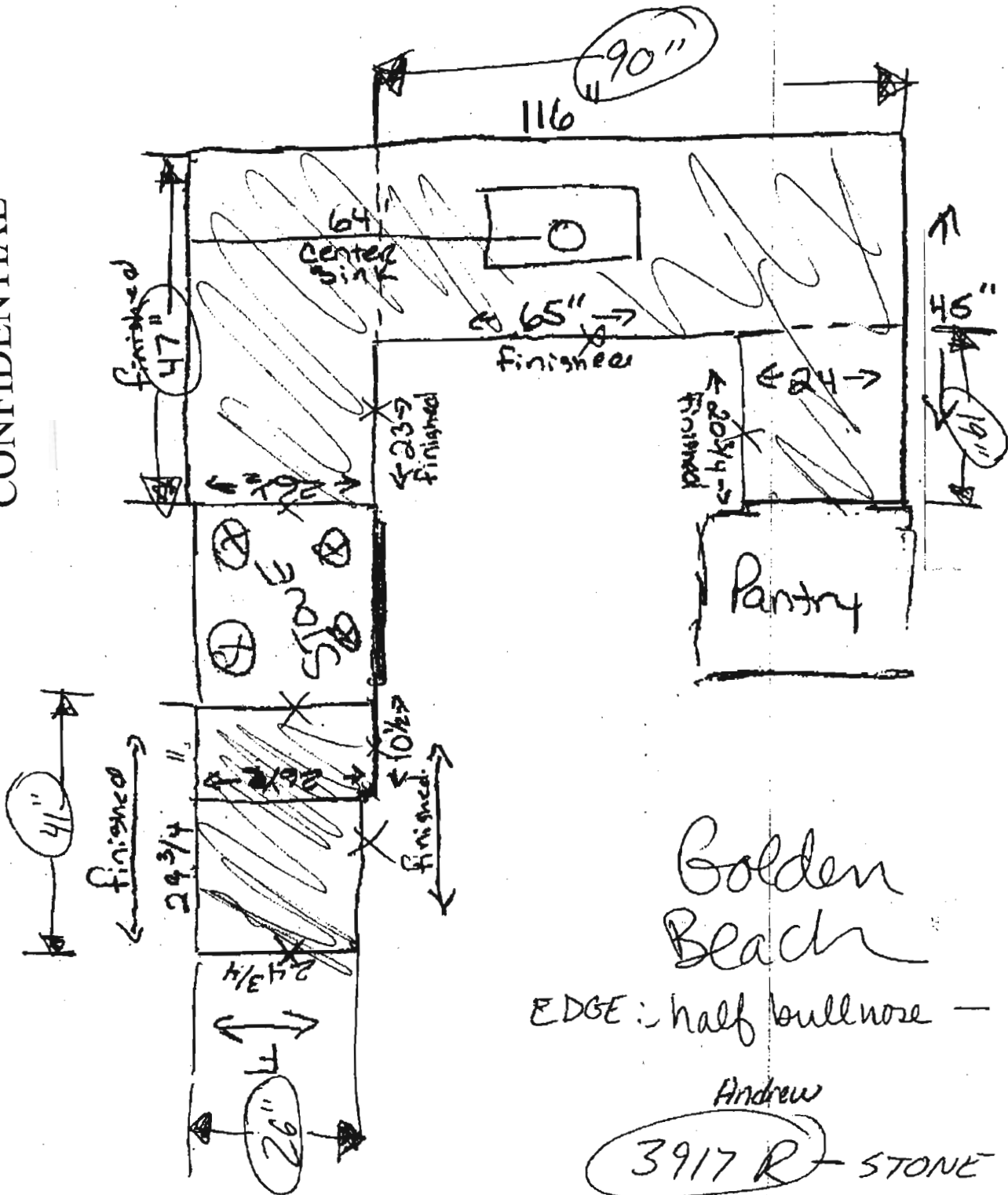
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ART 00030

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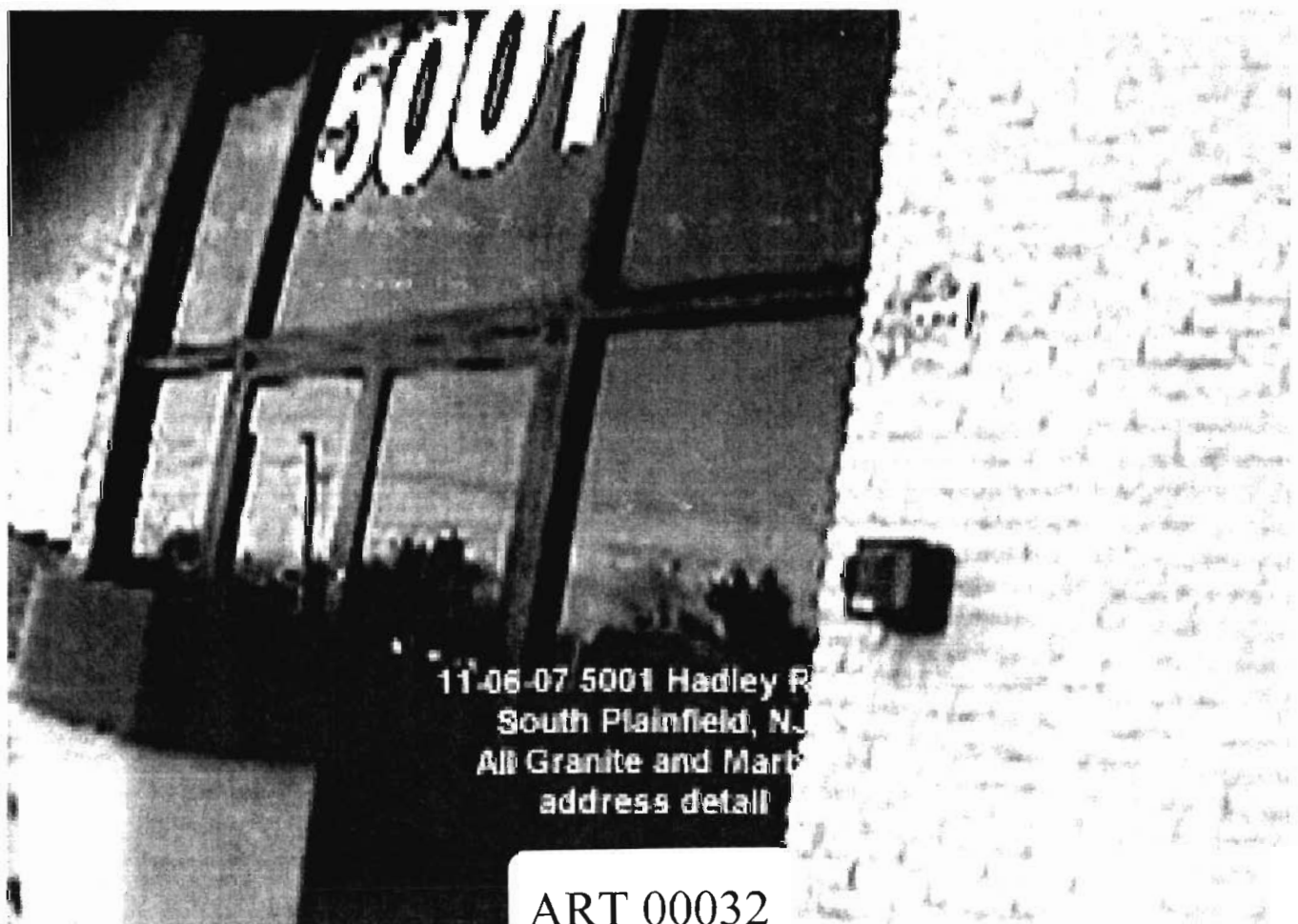
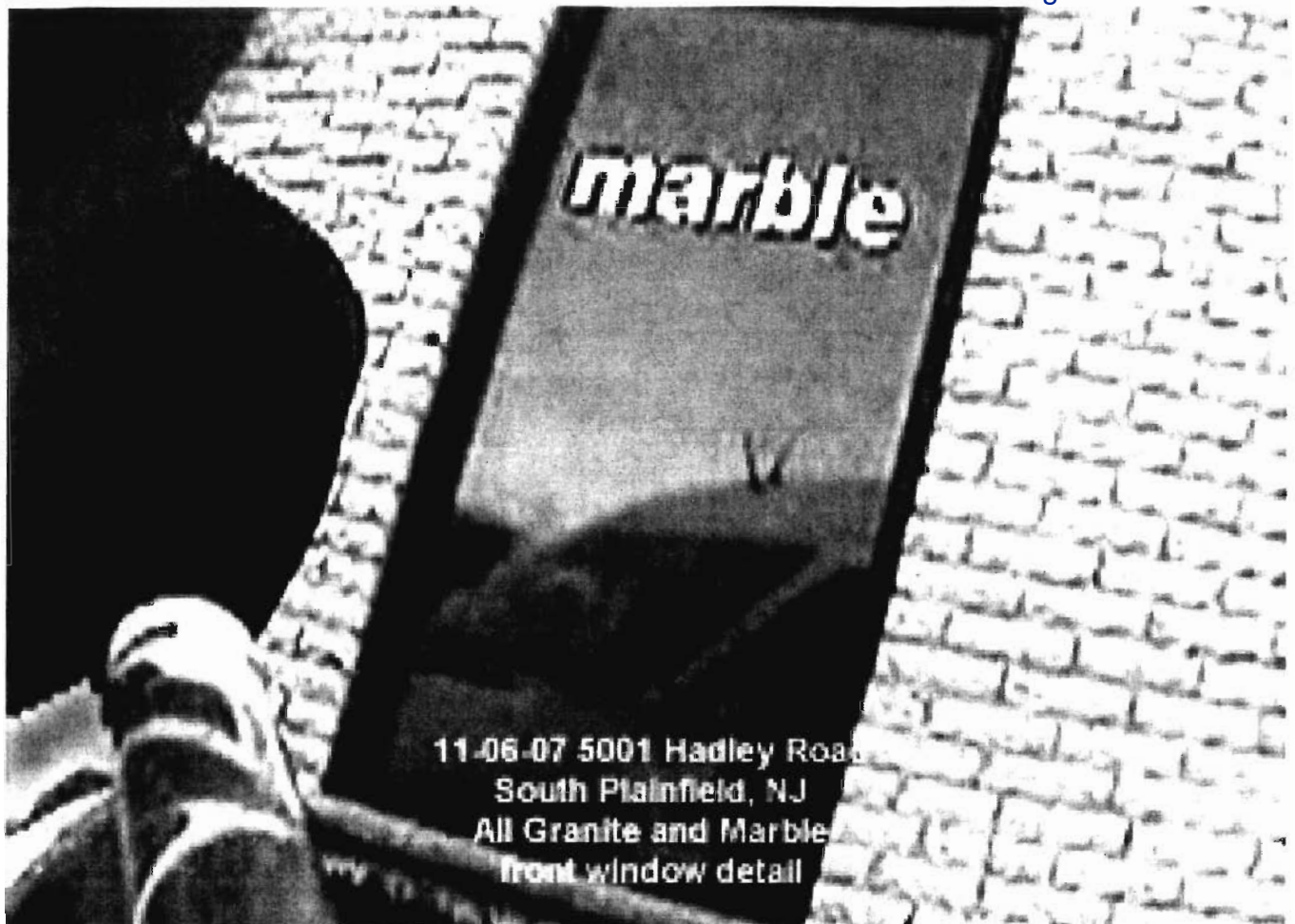
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ART 00031

EXHIBIT H

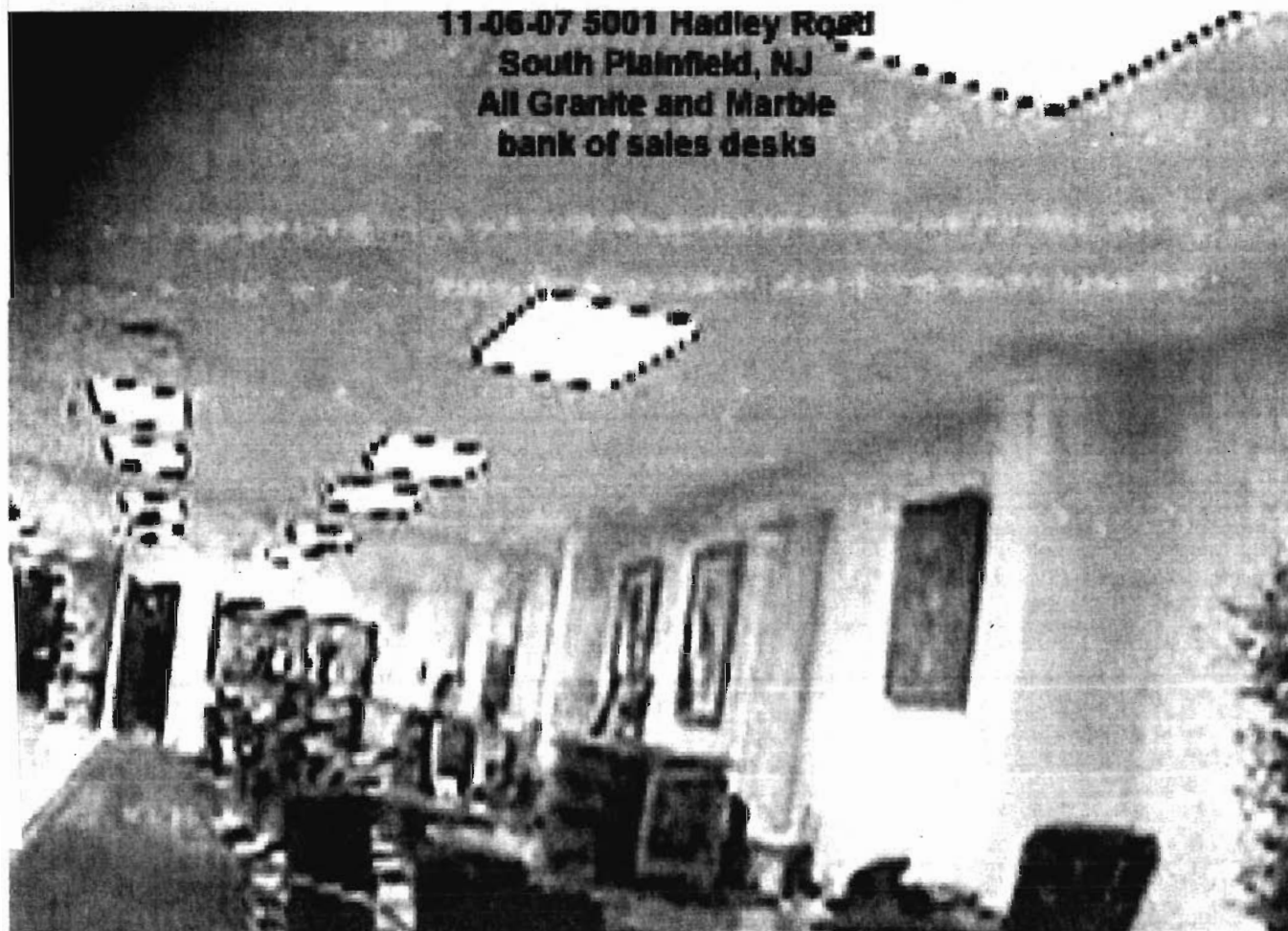
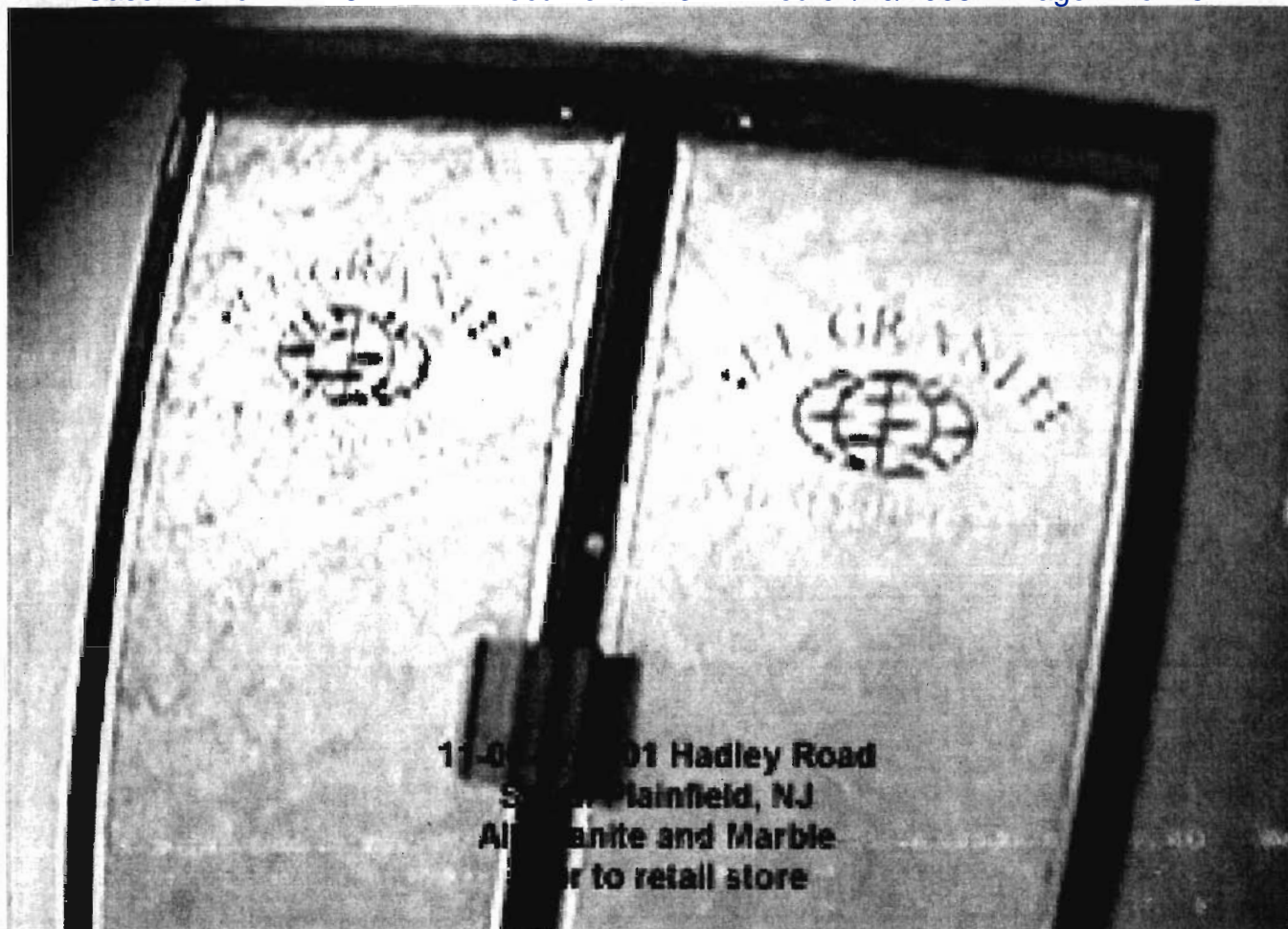
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ART 00032

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ART 00033

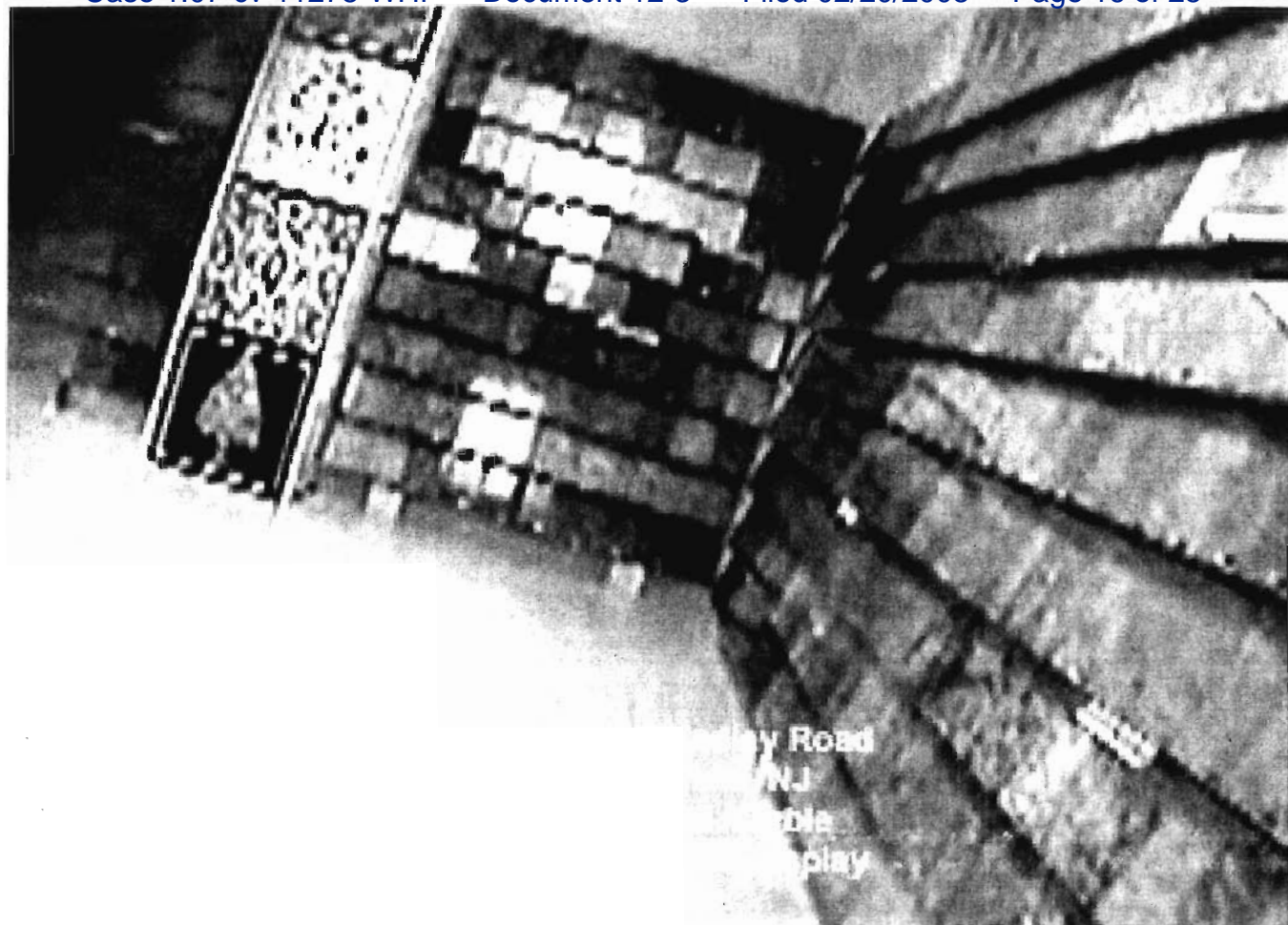


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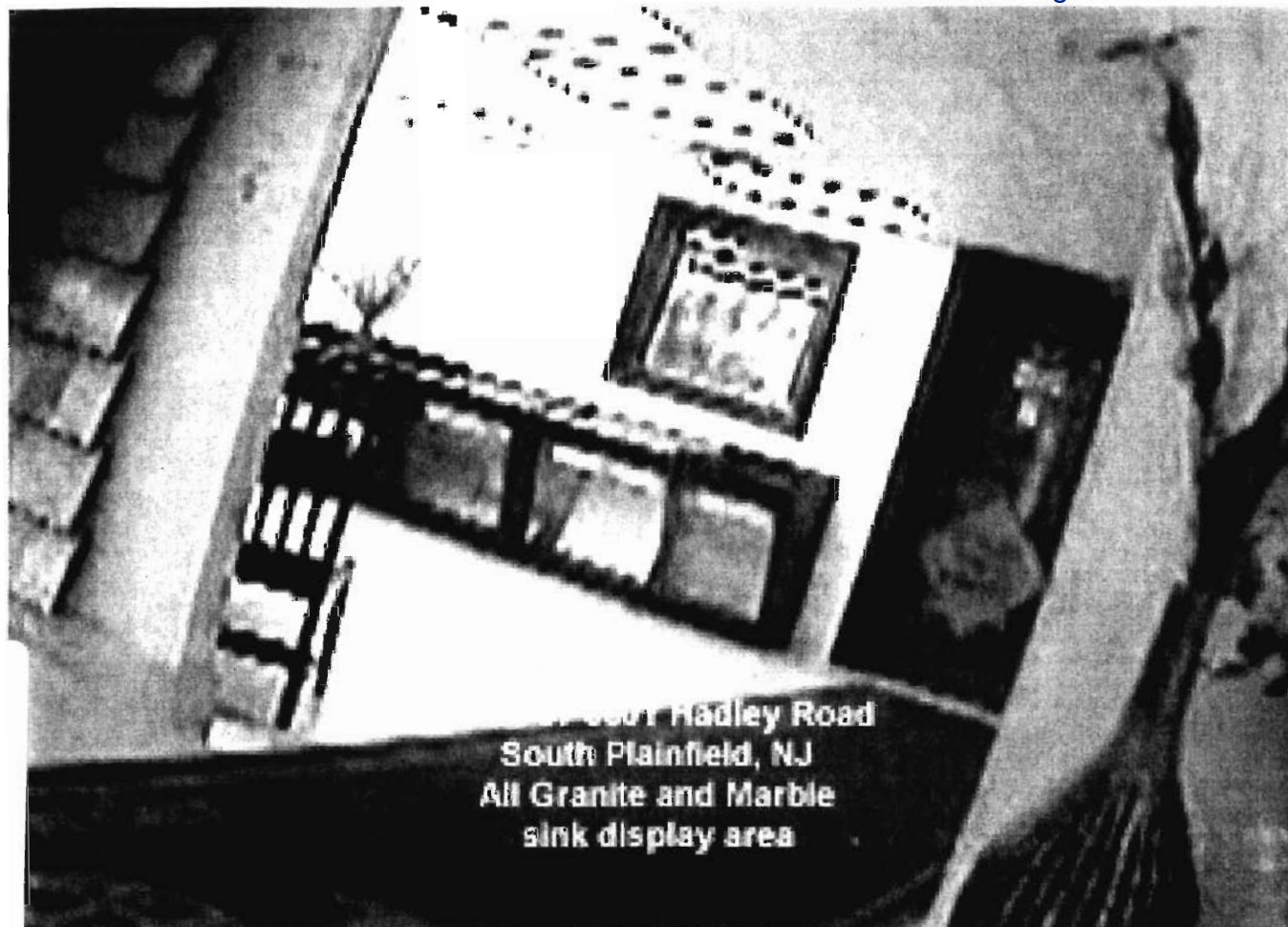


ART 00034

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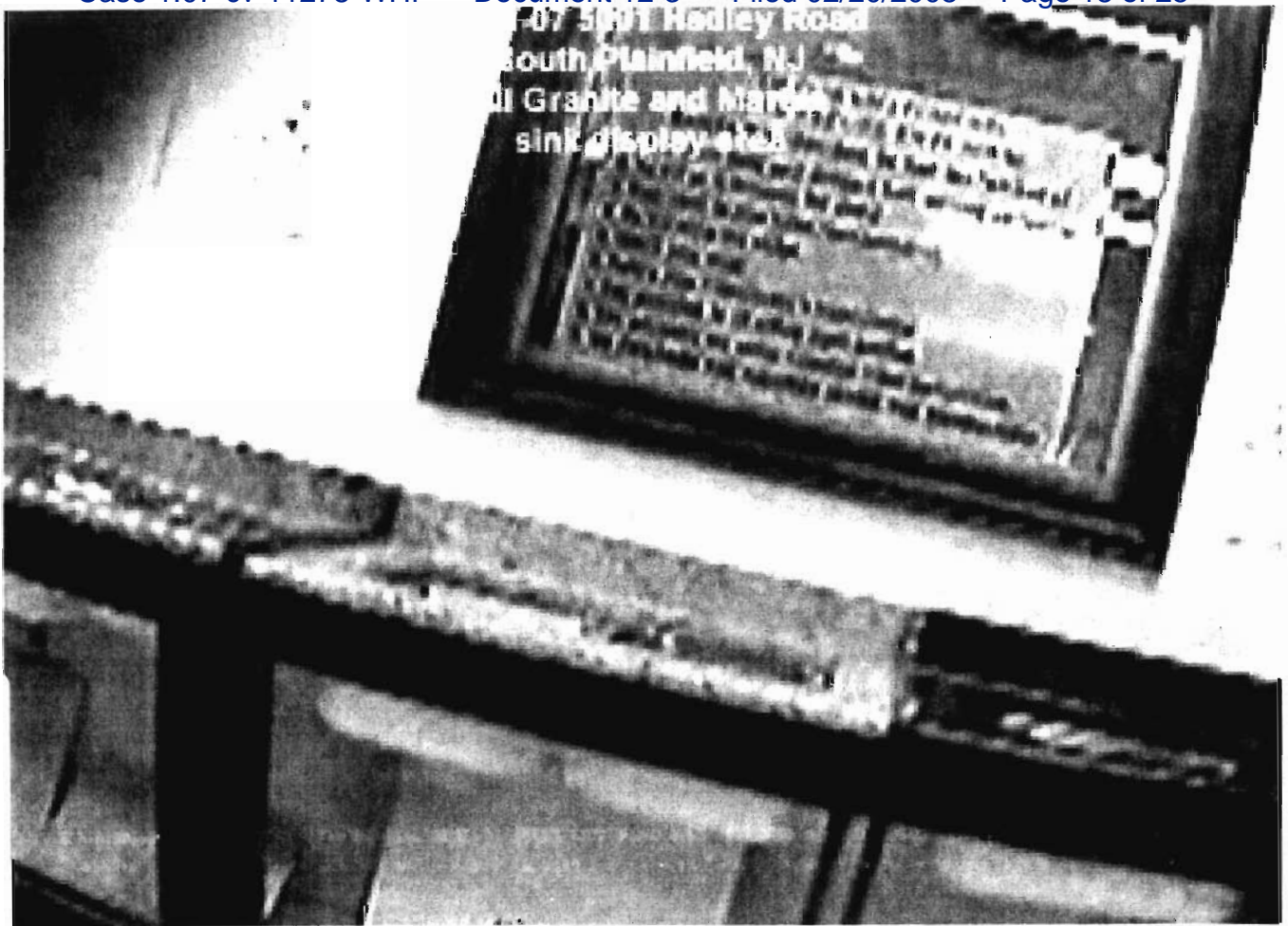
ART 00035



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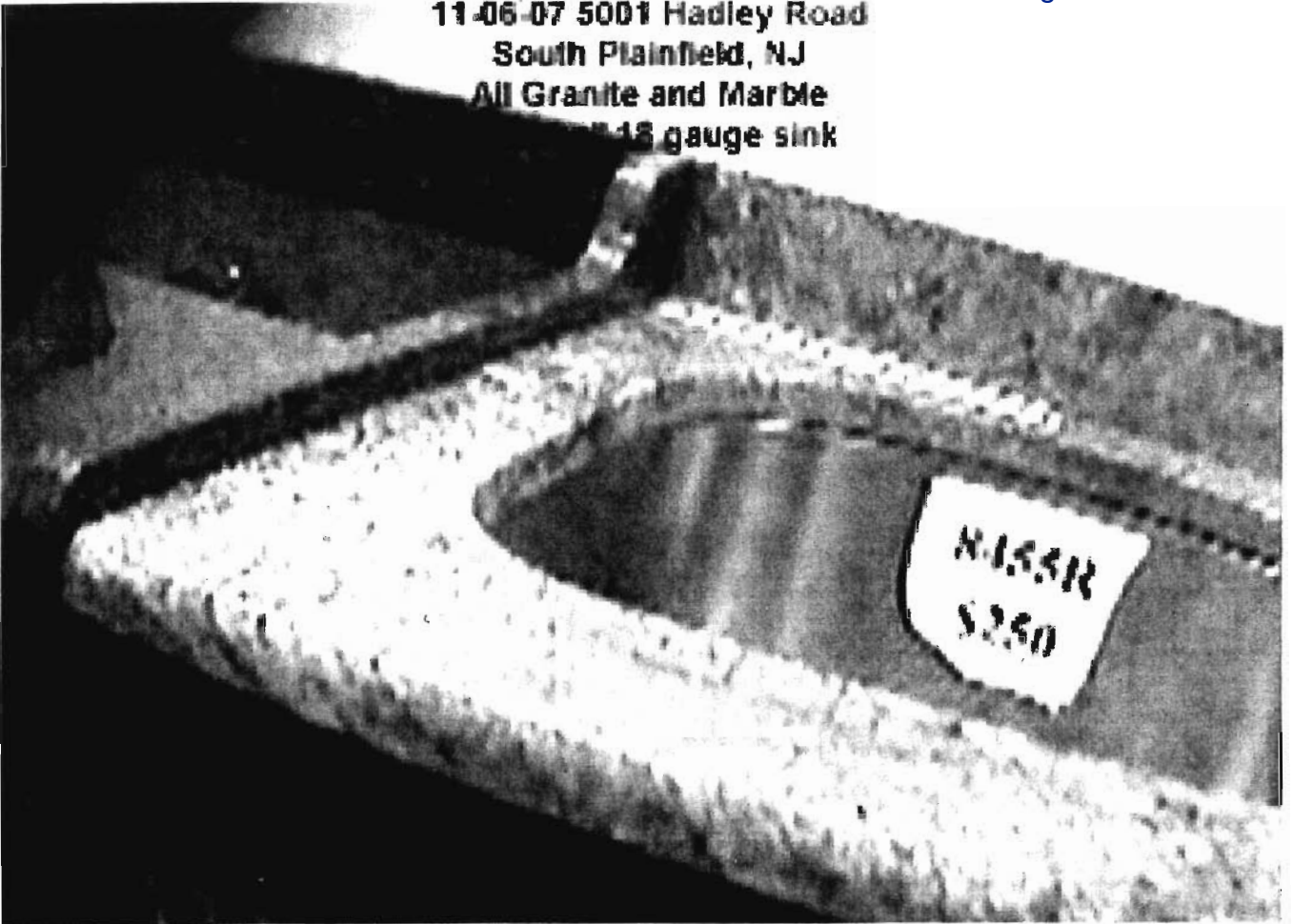
ART 00036



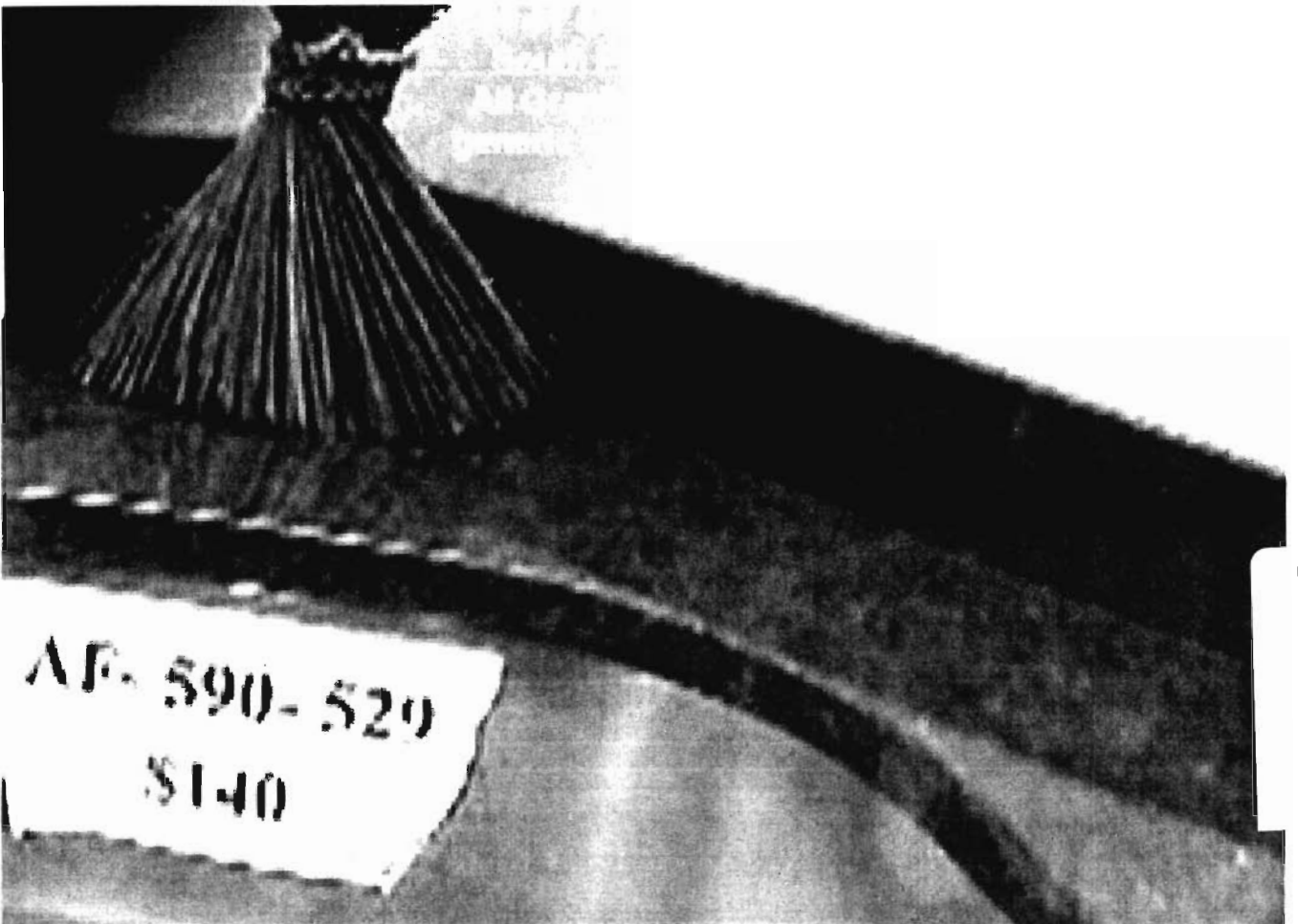
CONFIDENTIAL

ART 00037

11-06-07 5001 Hadley Road
South Plainfield, NJ
All Granite and Marble
#18 gauge sink

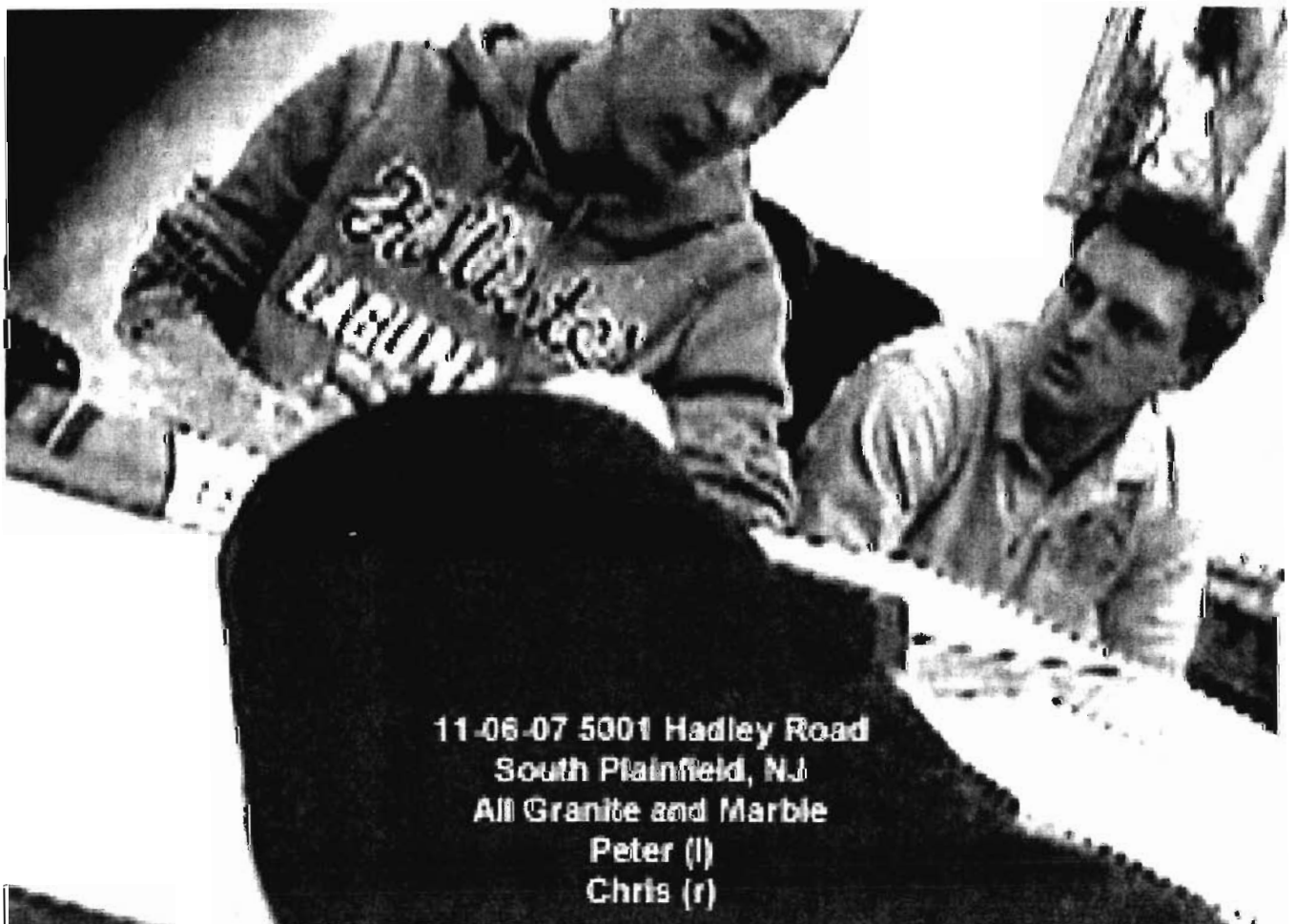


CONFIDENTIAL



ART 00038

CONFIDENTIAL



11-06-07 5001 Hadley Road
South Plainfield, NJ
All Granite and Marble
Peter (l)
Chris (r)

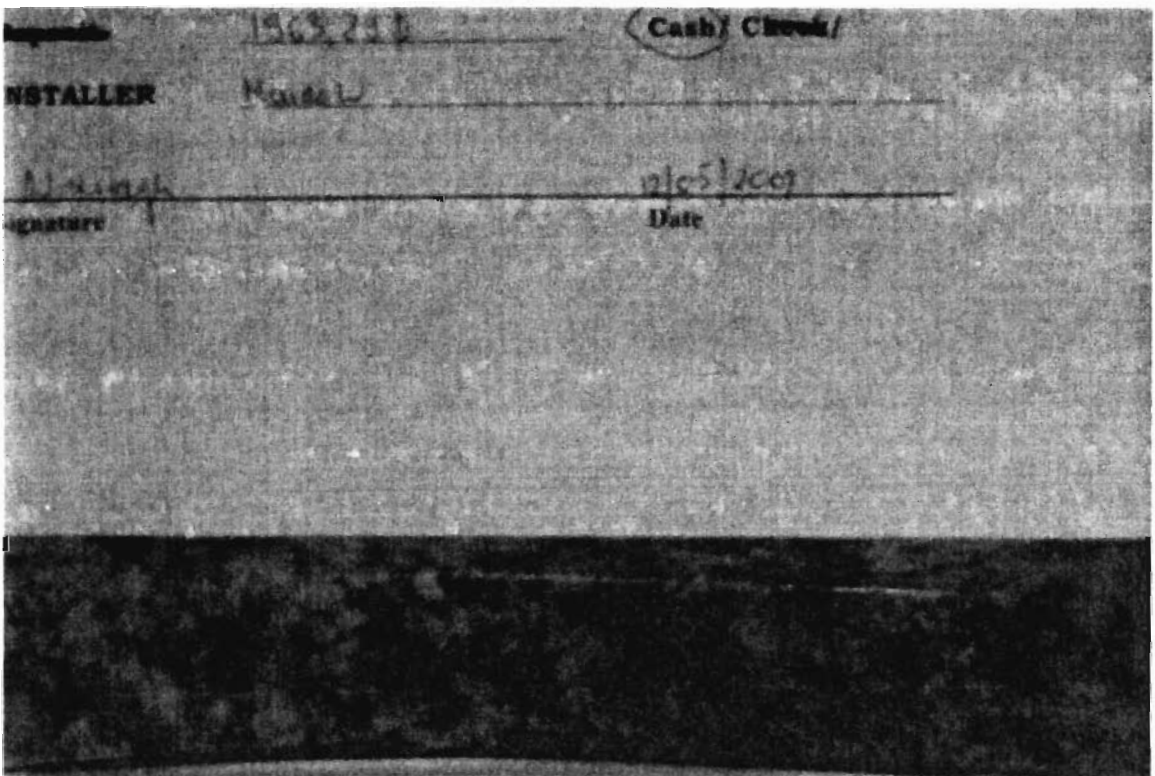
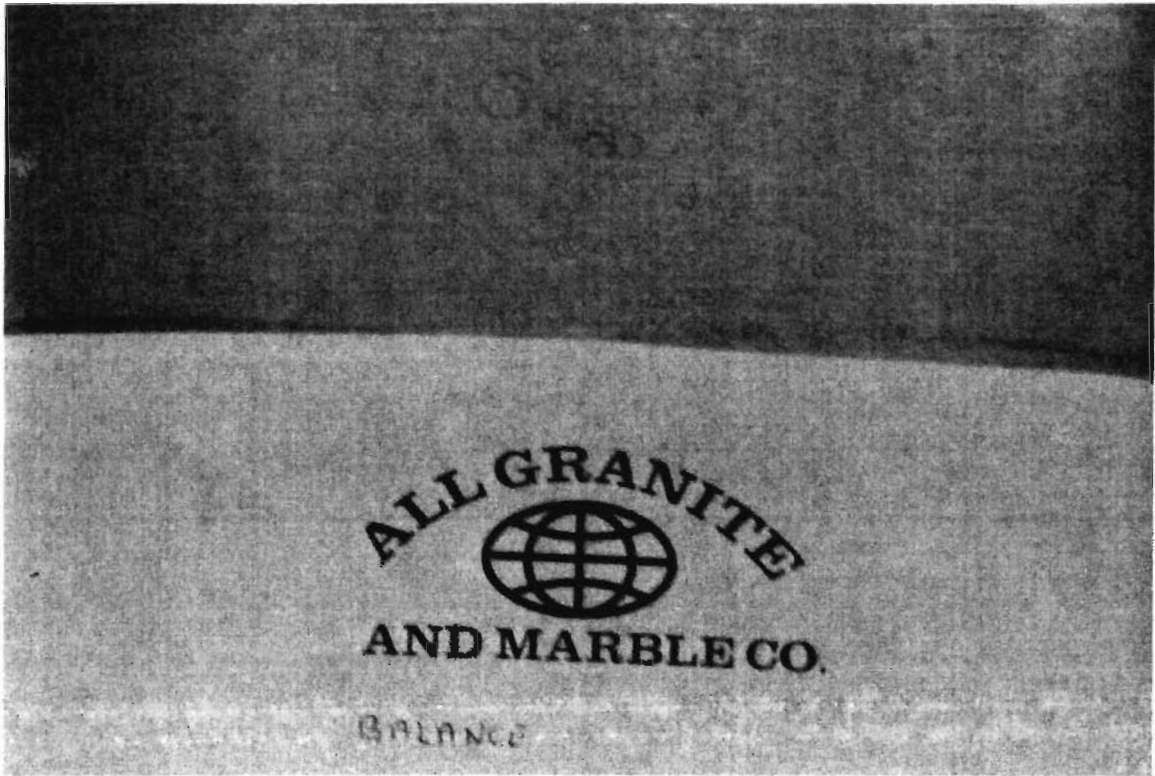
ART 00039



CONFIDENTIAL

ART 00040

CONFIDENTIAL



ART 00041

CONFIDENTIAL

AND MARBLE CO.
BALANCE
~~Deposit~~ Receipt

All Granite and Marble Corp.
5001 Hanley Rd.
South Plainfield, N.J. 07080
Phone: (908) 222 4000
Fax: (908) 222 4001

Customer:
Name: Susan Murray
Address: 145 Linden Rd.
W.O. #: 1112
Amount: \$565.24
INSTALLER: [Signature]
Date: 01/25/2009
Signature: [Signature]
Note: [Signature]

Cash/Check/

ART 00042

EXHIBIT I

Joe Amabile

From: Joe Amabile
Sent: Monday, August 20, 2007 11:43 AM
To: 'Robert@marble.com'
Subject: Artisan Sinks



image001.png (36 B)
image002.jpg (36 B)

Robert,

Just following up on our discussion we had in reference to bringing in an optional line for your customers. Please touch base with me and let me know when you think you will be ready to proceed. Thanks Joe

Joe Amabile
Regional Sales Manager
973-286-0080
973-590-7407 Cell
www.Artisansinks.com

ART 00218

EXHIBIT J

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

-----X		
	:	
ARTISAN MANUFACTURING	:	
CORPORATION,	:	
	:	07-cv-11278 (WHP)
Plaintiff,	:	
	:	
v.	:	
	:	
ALL GRANITE & MARBLE	:	
CORPORATION,	:	
	:	
Defendant.	:	
	:	
	:	
-----X		

**ALL GRANITE & MARBLE CORPORATION'S FIRST REQUESTS FOR THE
PRODUCTION OF DOCUMENTS AND THINGS (NOS. 1-27) PURSUANT TO THE
COURT'S ORDER FOR EXPEDITED DISCOVERY**

Pursuant to the Order for Expedited Discovery entered in this action, Defendant All Granite & Marble Corporation (hereinafter “AGM”), propounds the following requests for the production of documents and things upon Defendant Artisan Manufacturing Corporation (hereinafter “Artisan”) and request that each document and thing requests be produced or made available for inspection by AGM’s attorneys by February 1, 2008.

DEFINITIONS

(a) The words “you,” “yours” and/or “yourselves” means one or more of Artisan and any directors, officers, employees, agents, representatives or other persons acting, or purporting to act, on behalf of Artisan.

Request No. 13

All documents pertaining to any correspondence between Artisan and AGM.

Request No. 14

All documents pertaining to any agreements discussed or entered into between Artisan and AGM.

Request No. 15

Documents sufficient to show Artisan's annual sales for products bearing the Artisan fleur-de-lis mark on an annual basis for the past five years in both dollars and unit volume.

Request No. 16

All documents pertaining to manufacture of sinks bearing any of the Artisan marks.

Request No. 17

All documents pertaining to advertising of Artisan's products bearing the Artisan marks, including print advertising, radio advertising, television advertising, billboard advertising, and internet-based advertising, including documents that identify the nature of such advertising, the dates of such advertising, and the amount expended on such advertising

Request No. 18

All documents pertaining to any communications from or to any individual regarding a sink that was installed by AGM, including but not limited to any communications from or

to any individual who received a sink that is different than that individual believed he or she was going to receive.

Request No. 19

All documents pertaining to AGM's use of the Artisan marks in any AGM advertising, including actual AGM advertising as well as documents prepared by Artisan pertaining to AGM advertising.

Request No. 20

All documents pertaining to any investigations of AGM and AGM's showroom(s), including but not limited to reports, investigation invoices, notes and the like.

Request No. 21

All documents pertaining to any complaints, legal actions, and investigations relating to Artisan brand products, including, but not limited to, the investigations referenced in the Han Declaration and the Davies Declaration.

Request No. 22

All documents pertaining to the development, selection and adoption of the Artisan marks.

EXHIBIT K

DECLARATION OF ALICE ANDERSON

I, Alice Anderson, declare as follows:

1. I submit this declaration to attest to events that occurred with respect to my purchase of a granite countertop and accompanying sink from All Granite and Marble Corporation (hereinafter "All Granite") in late November and early December of 2007.
2. In the fall and winter of 2007, I was involved in renovating my kitchen. As part of that process, I visited the All Granite showroom in Ridgefield Park, New Jersey, where I arranged for the installation of a granite countertop in my home. Along with the countertop installation, I took advantage of a "free sink" promotion being run by All Granite. I was informed that the sink that would be installed would be a 16 gauge stainless steel sink.
3. On December 1, 2007, the countertop and sink were installed in my kitchen. I agreed to pay \$5,200 in cash for the installation as All Granite promised quicker service if I paid cash. The invoice and related paperwork for the installation are attached as Exhibit A.
4. Approximately one week after the installation, I noticed that scratches were appearing on the sink that All Granite had installed. In order to protect the sink's finish, I decided to purchase a bottom grid for the sink, but after purchasing a number of different grids that were available on the market, I could not find one that fit the sink.
5. My kitchen contractor suggested that I call All Granite in order to find out the name of the manufacturer of the sink. I subsequently called All Granite's Ridgefield Park office to ask the name of the manufacturer of the sinks and whether All Granite sold a bottom grid for the sink. I was informed by All Granite that the manufacturer of the sink was Artisan Manufacturing Corporation ("Artisan"), but that All Granite did not sell or provide any bottom grids or other accessories for the sink.

ART 00244

6. Thereafter, I did an Internet search for Artisan and found its website located at www.artisansinks.com. When I reached the website, I noticed a fleur-de-lis design, which I thought was the same of the design that appeared on the sink installed by All Granite.

7. In mid-January, I called Artisan to inquire about buying a bottom grid for the sink. When I told the Artisan representative the measurements of my sink, however, I was told that they did not match the measurements of Artisan's sinks.


8. On January 22, 2008, I was contacted by Joseph Amabile of Artisan who explained to me that the sink I received from All Granite may not be an Artisan sink. Joe asked me to take another look at the design that appeared on the All Granite sink and to describe it to him. Looking at the design closely, I now realized that the design on the All Granite sink and the design that I saw on Artisan's web site, while similar, were not identical. Joe informed me the Artisan had filed a lawsuit against All Granite and that I may be contacted by Artisan's attorneys.

9. I subsequently spoke to an attorney for Artisan, related what had happened, and agreed to sign a statement setting forth these facts.

10. While I did not go to All Granite seeking to have an Artisan sink installed in my home, All Granite did inform me that they would be installing a quality, 16 gauge stainless steel sink and, following the installation, told me that Artisan was the manufacturer of the sink. I am troubled by the fact that All Granite misled me with respect to Artisan. Moreover, now that I have learned that Artisan is not the manufacturer, I have become concerned about the quality of the sink, whether any issues relating to the sink might jeopardize the more than \$5,000 investment that I made in installing the countertop, and whether there are any other issues relating to the countertop installation that All Granite did not tell me about.

ART 00245

Declared under penalty of perjury this 31 day of January, 2008.



Alice Anderson

ART 00246

EXHIBIT L

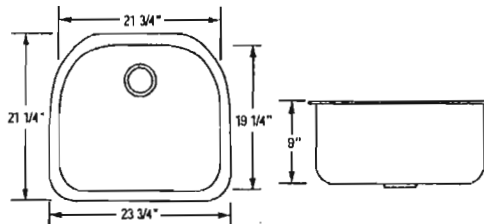


**Premium
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Heavy Gauge
High Quality Sinks
Offer Glamour
and Function...**

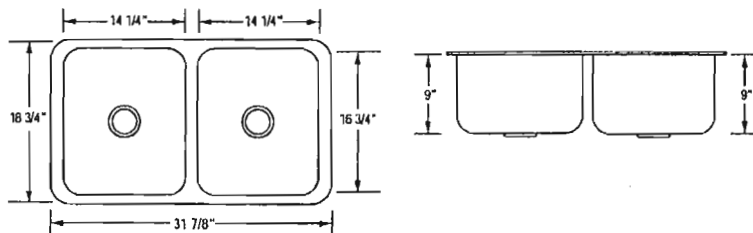
All sinks are not created equal!

Artisan Manufacturing offers premium quality sinks in a 18 gauge thickness, 304 commercial grade, 18/10 stainless steel. This new sink Collection, with its high luster satin finish is recognized to be durable, practical and very stylish, complementing the latest trends in kitchen design. The superior craftsmanship gives long lasting beauty with resistance to both stains and corrosion. With their fully-coated underparts and extra rubber pads, the sound deadening result is superior and water temperature is maintained. Stylish, functional and affordably practical. Perfect for those price sensitive and design oriented kitchens.

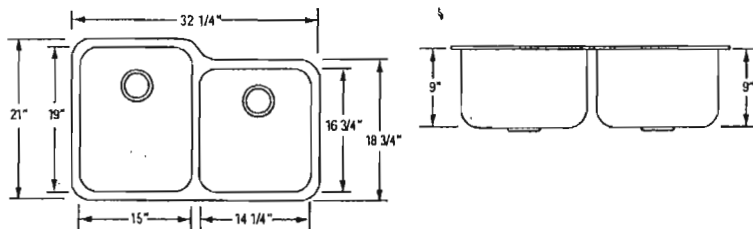
For more information:
Call an Artisan Manufacturing Specialist at 212-967-2100 or email to sales@artisansinks.com or go online at www.artisansinks.com



M2321-D9



M3218-D9/9



M3221-D9/9

ART 00075



Complies with ASME A112.19.3-2000

www.artisansinks.com

260.538

EXHIBIT M

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Artisan A3221-D108-S Traditional Undermount Double Bowl 16 Gauge Kitchen Sink



PRODUCT DETAILS

Design Feature:

Size: 32 3/8" x 21"

Bowl Size: 19" x 15" & 16 3/4" x 14 1/4"

Depth: 10" / 8"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Rear Center Drain)



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Model Number: ART A3221D108S

Retail Value: \$910.00

Your Price: \$614.25

Product Availability: We have this

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Artisan A3221-D108R-S Traditional Undermount Double Bowl 16 Gauge Kitchen Sink



PRODUCT DETAILS

Design Feature:

Size: 32 3/8" x 21"

Bowl Size: 16 3/4" x 14 1/4" & 19" x 15"

Depth: 8" / 10"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Rear Center Drain)



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Model Number: ART A3221D108RS

Retail Value: \$910.00

Your Price: \$614.25

Product Availability: We have this

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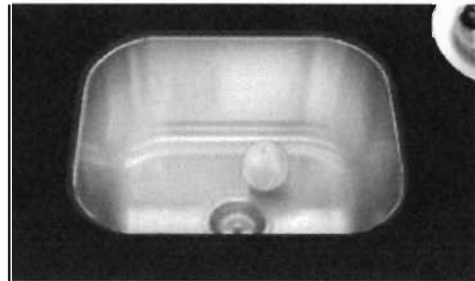


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Artisan A1214-D7-S Traditional Undermount Single Bowl 16 Gauge Kitchen/Bar Sink



PRODUCT DETAILS

Design Feature:

Size: 14 3/4" x 12 1/2"

Bowl Size: 12 3/4" x 10 1/2"

Depth: 7"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Center Drain)



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Model Number: ART A1214D7S

Retail Value: \$340.00

Your Price: \$229.50

Product Availability: We have this item in stock. In stock items usually

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Artisan A2321-D9-S European Undermount Single Bowl 16 Gauge Kitchen/Bar Sink



PRODUCT DETAILS

Design Feature:

Size: 23 3/4" x 21 1/4"

Bowl Size: 21 3/4" x 19 1/4"

Depth: 9"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Rear Center Drain)



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Model Number: ART A2321D9S

Retail Value: \$525.00

Your Price: \$354.38

Product Availability: We have this

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Artisan A3121-D95-S European Undermount Double Bowl 16 Gauge Kitchen Sink



PRODUCT DETAILS

Design Feature:

Size: 32 "x 21 1/2"

Depth: 9"/5"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Rear Center Drain)



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Model Number: ART A3121D95S

Retail Value: \$775.00

Your Price: \$523.13

Product Availability: We have this item in stock. In stock items usually ship the same business day.

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Artisan A3121-D95R-S European Undermount Double Bowl 16 Gauge Kitchen Sink



PRODUCT DETAILS

Design Feature:

Size: 32 "x 21 1/2"

Depth: 5" / 9"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Rear Center Drain)



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Model Number: ART A3121D95RS

Retail Value: \$775.00

Your Price: \$523.13

Product Availability: We have this item in stock. In stock items usually ship the same business day.

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Artisan A3220-D97R-S European Undermount Double Bowl 16 Gauge Kitchen Sink



PRODUCT DETAILS

Design Feature:

Size: 32" x 20 3/4"

Depth: 7" / 9"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Rear Center Drain)



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Model Number: ART A3220D97RS

Retail Value: \$800.00

Your Price: \$540.00

Product Availability: We have this item in stock. In stock items usually ship the same business day.

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Artisan A3220-D97-S European Undermount Double Bowl 16 Gauge Kitchen Sink



PRODUCT DETAILS

Design Feature:

Size: 32" x 20 3/4"

Bowl Size: 18 3/4" x 18" & 16 1/4" x 10 3/4"

Depth: 9" / 7"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Rear Center Drain)



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Model Number: ART A3220D97S

Retail Value: \$800.00

Your Price: \$540.00

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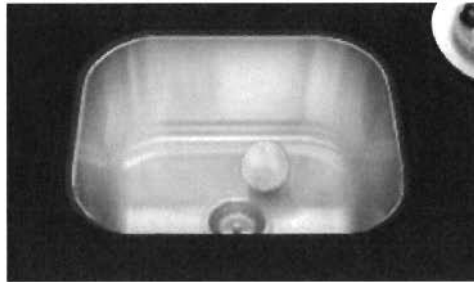
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Artisan A1214-D7-S Traditional Undermount Single Bowl 16 Gauge Kitchen/Bar Sink



PRODUCT DETAILS

Design Feature:

Size: 14 3/4" x 12 1/2"

Bowl Size: 12 3/4" x 10 1/2"

Depth: 7"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Center Drain)



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Model Number: ART A1214D7S

Retail Value: \$340.00

Your Price: \$229.50

Product Availability: We have this item in stock. In stock items usually

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Artisan A1618-D8-S Traditional Undermount Single Bowl 16 Gauge Kitchen/Bar Sink



PRODUCT DETAILS

Design Feature:

Size: 16" x 18"

Bowl Size: 16 13/4" x 14 1/4"

Depth: 8"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Rear Center Drain)



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Model Number: ART A1618D8S

Retail Value: \$390.00

Your Price: \$263.25

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Artisan A2318-D10-S Traditional Undermount Single Bowl 16 Gauge Kitchen Sink



PRODUCT DETAILS

Design Feature:

Size: 23 1/4" x 18 1/4"

Depth: 10"

Bowl Size: 21 1/4" x 16 1/4"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Center Drain)



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Model Number: ART A2318D10S

Retail Value: \$585.00

Your Price: \$394.88

Product Availability: We have this item in stock. In stock items usually

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Artisan A2318-D9-S Traditional Undermount Single Bowl 16 Gauge Kitchen Sink



PRODUCT DETAILS

Design Feature:

Size: 23 1/4" x 18 1/4"

Bowl Size: 21 1/4" x 16 1/4"

Depth: 9"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Center Drain)



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Model Number: ART A2318D9S

Retail Value: \$505.00

Your Price: \$340.88

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Artisan A3118-D9-S Traditional Undermount Single Bowl 16 Gauge Kitchen Sink



PRODUCT DETAILS

Design Feature:

Size: 31 1/2" x 18 1/4"

Bowl Size: 29 1/2" x 16 1/8"

Depth: 9"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Center Drain)



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Model Number: ART A3118D9S

Retail Value: \$855.00

Your Price: \$577.12

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Artisan A3218-D97-S Traditional Undermount Double Bowl 16 Gauge Kitchen Sink



PRODUCT DETAILS

Design Feature:

Size: 31 7/8" x 18 3/4"

Bowl Size: 16 3/4" x 14 1/4"

Depth: 9" / 7"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Center Drain)



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Model Number: ART A3218D97S

Retail Value: \$750.00

Your Price: \$506.25

Product Availability: We have this item in stock. In stock items usually

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Artisan A3218-D108-S Traditional Undermount Double Bowl 16 Gauge Kitchen Sink



PRODUCT DETAILS

Design Feature:

Size: 31 7/8" x 18 3/4"

Bowl Size: 16 3/4" x 14 1/4"

Depth: 10" / 8"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Center Drain)



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Model Number: ART A3218D108S

Retail Value: \$860.00

Your Price: \$580.50

Product Availability: We have this item in stock. In stock items usually

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Artisan A3218-D1010-S Traditional Undermount Double Bowl 16 Gauge Kitchen Sink



PRODUCT DETAILS

Design Feature:

Size: 31 7/8" x 18 3/4"

Bowl Size: 16 3/4" x 14 1/4"

Depth: 10" / 10"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Center Drain)



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Model Number: ART A3218D1010S

Retail Value: \$910.00

Your Price: \$614.25

Product Availability: We have this item in stock. In stock items usually

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Artisan A3221-D97-S Traditional Undermount Double Bowl 16 Gauge Kitchen Sink



PRODUCT DETAILS

Design Feature:

Size: 32 3/8" x 21"

Bowl Size: 19" x 15" & 16 3/4" x 14 1/4"

Depth: 9" / 7"

Material: 16 Gauge Premium 304 Nickel-Bearing Stainless Steel

Finish: Satin Finish

Underside Finish: Fully coated and with rubber pads to reduces noise and maintain water temperature

Drain Opening: 3 1/2" (Rear Center Drain)



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Model Number: ART A3221D97S

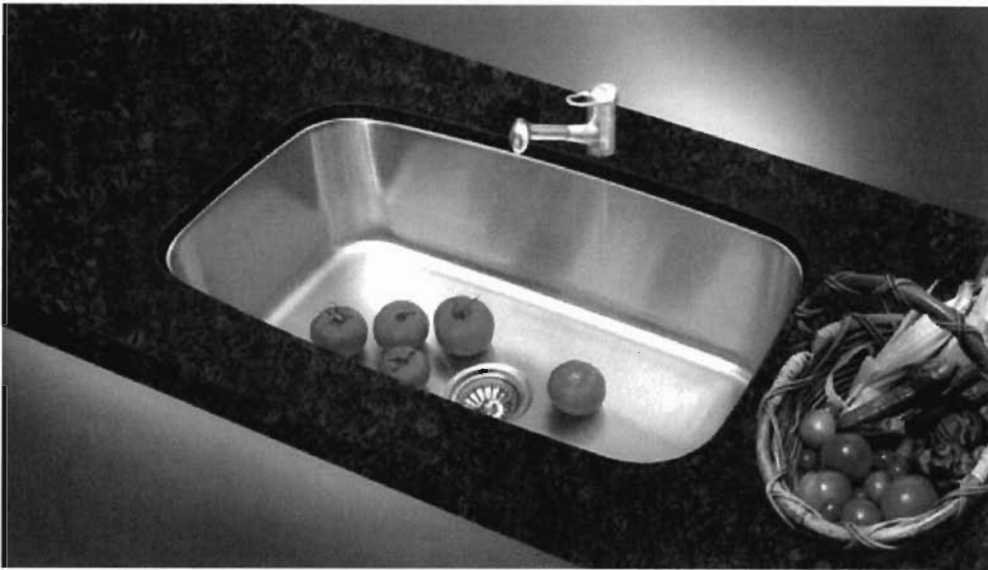
Retail Value: \$810.00

Your Price: \$546.75

Product Availability: We have this

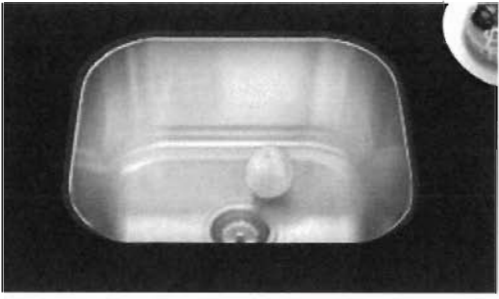














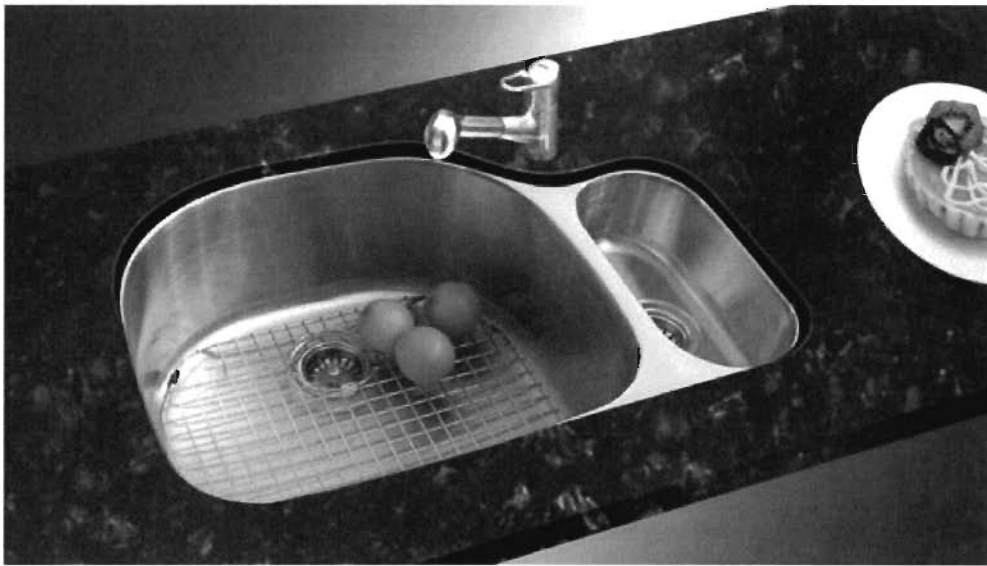










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Artisan CP3219-D10 Traditional Apron Front Undermount Sink Stainless Steel



PRODUCT DETAILS

Artisan CP3219-D10 Traditional Farmhouse Undermount Sink Stainless Steel

Artisan Manufacturing is pleased to introduce their new handcrafted, designer-inspired copper Farmhouse Sink.

The decorative pattern crafted into the front apron is second to none.

The interior hand tooling is amazingly detailed.

With 10" of depth and a 28" x 17" interior, this Artisan Farmhouse Sink will create a dramatic focal point in any kitchen or pantry.

The return reveal curves on each side are 4-5/8" providing flexible installation above a cabinet or on lets.

This new one-of-a-kind sink, in traditional period styling, is the ultimate in quality and craftsmanship.

With Artisan Sinks, the premium stainless steel finish simply can't be matched.

The high-luster satin finish is durable, stylish and practical... portraying the latest trends in Traditional kitchen and pantry design.

This new Farmhouse Collection offers a remarkable 16 gauge thickness, 304 commercial grade in 18/10 stainless steel.

The superior craftsmanship provides long-lasting beauty, while offering resistance to both stains and corrosion.

All under surfaces of these sinks are covered with their proprietary V-Therm Shield™, a dense coating that provides superior sound deadening

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Artisan CP3621-D10 Traditional Apron Front Sink Stainless Steel



PRODUCT DETAILS

Artisan CF3621-D10 Handcrafted Farmhouse Kitchen Sink

Artisan Manufacturing is pleased to introduce their new handcrafted, designer-inspired copper Farmhouse Sink.

The decorative pattern crafted into the front apron is second to none.

The interior hand tooling is amazingly detailed.

With 10" of depth and a 28" x 17" interior, this Artisan Farmhouse Sink will create a dramatic focal point in any kitchen or pantry.

The return reveal curves on each side are 4-5/8" providing flexible installation above a cabinet or on lets.

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With Artisan Sinks, the premium stainless steel finish simply can't be matched.

The high-luster satin finish is durable, stylish and practical... portraying the latest trends in Traditional kitchen and pantry design.

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The superior craftsmanship provides long-lasting beauty, while offering resistance to both stains and corrosion.

All under surfaces of these sinks are covered with their proprietary V-Therm Shield™, a dense coating that provides superior sound deadening and thermal retention qualities.

EXHIBIT O

01/30/2008 13:25 2129572187

ARTISAN MFG

PAGE 02/04

IAPMO RESEARCH AND TESTING, INC.

5001 East Philadelphia Street, Ontario, California 91761-2816 • (909) 472-4100 • Fax (909) 472-4244 • www.iapmo.org

**CERTIFICATE OF LISTING**

IAPMO Research and Testing, Inc. is a product certification body which tests and inspects samples taken from the supplier's stock or from the market or a combination of both to verify compliance to the requirements of applicable codes and standards. This activity is coupled with periodic surveillance of the supplier's factory and warehouses as well as the assessment of the supplier's Quality Assurance System. This listing is subject to the conditions set forth in the characteristics below and is not to be construed as any recommendation, assurance or guarantee by IAPMO Research and Testing, Inc. of the product acceptance by Authorities Having Jurisdiction.

Effective Date: April 2007 -Rev. 7/9/2007- Void After: April 2008

Product: Plumbing Fixtures (Stainless Steel) File No. 4592

Issued To: Artisan Manufacturing Corp.
1270 Broadway, #1107
New York, NY 10001

IDENTIFICATION: Each stainless steel plumbing fixture shall be marked with the manufacturer's name or trademark, "N", and the date of manufacture. These marks shall be legible, readily identified, visible after the fixture is installed, and be applied so as to be permanent. The product shall also bear the UPC® certification mark.

CHARACTERISTICS: Stainless steel plumbing fixture to be installed in accordance with the manufacturer's installation instructions and the requirements of the latest edition of the Uniform Plumbing Code. Fixtures may include kitchen sinks, bar sinks, and or lavatories.

Products comply with the applicable sections of the latest edition of the Uniform Plumbing Code®. Models listed to the National Plumbing Code of Canada and Relevant Canadian Standard(s) shall bear the UPC mark of conformity. Manufactured in compliance with ASME A12.19.3-2000 (Sup. 2002) and CSA B45.4-2002.

ART 00114

Robert R. Siemsen
Chairman, Product Certification Committee

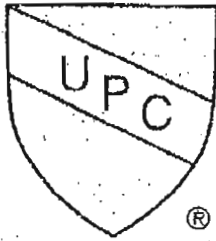
Russ Chaney
Executive Director

This listing is for the period indicated herein and is void after the date shown above. Any change in material, manufacturing process, marking or design without having first obtained the approval of the Product Certification Committee, or any evidence of non-compliance with applicable codes and standards or of inferior workmanship, may be deemed sufficient cause for revocation of this listing. Reproduction of or reference to this form for advertising purposes may be made only by specific written permission of IAPMO Research and Testing, Inc. Any alteration of this certificate could be grounds for revocation of the listing.

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PAGE 03/04



IAPMO RESEARCH AND TESTING, INC. **CERTIFICATE OF LISTING**

Page 2

Effective Date: April 2007 -Rev. 7/9/2007- Void After: April 2008
 Product: Plumbing Fixtures (Stainless Steel) File No. 4592
 Issued To: Artisan Manufacturing Corp.

MODELS: Premium Undermount Collection

<u>Model No.</u>	<u>Gauge</u>	<u>Depth</u>
A 2321	16	D9
A 3221	16	D95
A 3220	16	D97
A 3220	16	D97R
A 1214	16	D7
A 2318	16	D10
A 2318	16	D9
A 3218	16	D108
A 3218	16	D97
A 3218	16	D1010
A 3221	16	D108
A 3221	16	D108R
A 3221	16	D97
A 3221	16	D97R
A 1618	16	D9
A 1618	16	D8
A 3521	16	D97
A 3521	16	D97R
A 3121	16	D95
A 3121	16	D95R
A 2120	16	D9
A 2619	16	D85
A 3118	16	D9
AO	16	D8

Value Undermount Collection

<u>Model No.</u>	<u>Gauge</u>	<u>Depth</u>
M 3220	18	D87
M 3221	18	D88
M 3218	18	D88
M 2318	18	D8
M 2321	18	D8

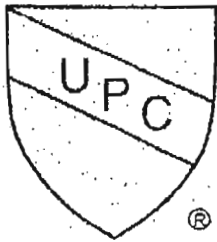
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 Uniform Swimming Pool, Spa, and Hot Tub Code®,
 and Uniform Solar Energy Code®.

ART 00115

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PAGE 04/04



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Page 3

Effective Date: April 2007 -Rev. 7/9/2007- Void After: April 2008
Product: Plumbing Fixtures (Stainless Steel) File No. 4592
Issued To: Artisan Manufacturing Corp.

ADDITIONAL COMPANY LISTINGS

Counter-Seal Corporation

Model No.		
CS06	CS08	CS10
CS07	CS09	

ART 00116

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Uniform Swimming Pool, Spa, and Hot Tub Code®,
and Uniform Solar Energy Code®.

EXHIBIT P

1
2 UNITED STATES DISTRICT COURT
3 FOR THE SOUTHERN DISTRICT OF NEW YORK
4

ARTISAN MANUFACTURING)
5 CORPORATION,)

6 Plaintiff,)

7 vs.)

) 07-cv-11278 (WHP)

8 ALL GRANITE & MARBLE)
CORPORATION,)

9 Defendant.)

10 -----)

11
12
13
14 DEPOSITION OF JOSEPH AMABILE
15 Parsippany, New Jersey
16 Thursday, February 7, 2008
17

18
19
20 CONTAINS CONFIDENTIAL PORTIONS
21
22
23

24 Reported by:

FRANCIS X. FREDERICK, CSR, RPR, RMR

25 JOB NO. 15244D

1 J. AMABILE

2 taken out of the showroom and brought to the
3 side. And there was a lot of whispering going
4 on. And, you know, the next thing I know I
5 was given the name of who to contact and --
6 you know, I don't want to say escorted out of
7 the door but basically that was it, you know.
8 Which honestly felt very odd to me for a
9 company that we used to do business with. Or
10 at that time I thought was currently doing
11 business with because I saw our paperwork
12 there.

13 Q. Okay. That was going to be my
14 next question. Your visit -- this would have
15 been sometime prior to July 26th which is your
16 first e-mail date.

17 A. That's correct.

18 Q. So that visit you did actually
19 observe paperwork in the store?

20 A. Yes.

21 Q. Do you know what you saw?

22 A. The exact paper was not our --
23 they had two different things. They had a
24 white sheet which had model numbers. And it
25 had, you know, diagrams and measurements on

1 J. AMABILE

2 it. And I'm saying it vaguely because
3 that's -- when I tell you I was taken out of
4 there very quickly, it was what I was able to
5 observe before I was taken out of that room.

6 Q. Were you actually able to take one
7 of those samples with you that day?

8 A. No, I was not. No.

9 Q. So you saw a white sheet with
10 design I guess specs on that sheet?

11 A. Yes.

12 Q. Did you observe on that sheet
13 either the name Artisan or the fleur-de-lis
14 design?

15 A. I did observe Artisan on the -- I
16 did not observe the fleur-de-lis design.

17 Q. Okay. And you said you saw a
18 second brochure?

19 A. Well, it wasn't a brochure. They
20 had a -- I'll call it a -- for lack of a
21 better words, a poster. It wasn't as big as a
22 poster. But that also had -- that had a few
23 different sinks on it. I did observe a model
24 number which was ours. The exact sink I
25 couldn't tell you. But that was the extent of

1 J. AMABILE

2 given it at the time when she went in to
3 purchase the countertop.

4 Q. Do you know whether Ms. Poynter
5 visited any other countertop installers during
6 that period of time?

7 A. No.

8 Q. You don't know or she didn't
9 visit?

10 A. I don't know.

11 Q. Okay.

12 A. This paper is very similar to the
13 paper I saw when I was in All Granite visiting
14 their location.

15 Q. So you mentioned earlier -- you
16 testified earlier about the white spec sheet.

17 A. Yes.

18 Q. It looked similar to this.

19 A. Yes.

20 Q. So when you mentioned that you saw
21 a reference to Artisan on it, is that the
22 reference at the top of the page that I see?

23 A. Correct.

24 Q. Looking at Defendant's 90, does
25 that depict an Artisan sink?

1 J. AMABILE

2 A. It depicts a D-bowl shape which is
3 one of our sinks, yes.

4 Q. Do those dimensions, if you can
5 even read those dimensions, do they correspond
6 to the dimensions of an Artisan sink in that
7 time range?

8 A. I can't read them. I'll be honest
9 with you, off the top of my head -- I wouldn't
10 know the actual dimension off the top of my
11 head.

12 Q. Okay. Do the specifications
13 appearing under this, do they match the
14 specifications associated with Artisan sinks?

15 A. Well, they match -- the model
16 number is a good model number.

17 Q. That's the model number at the top
18 or the model number down near the --

19 A. Either -- well, I believe they're
20 the same. But the model number down here is
21 one of our model numbers which was a 17 gauge
22 product. You know, fully coated rubber pads
23 to the best of my knowledge would represent an
24 Artisan sink. The depth is the same as our
25 product also. Sixteen gauge or 17 gauge at

1 J. AMABILE

2 the time.

3 Q. It was 17 gauge at that time?

4 A. At this time, no, it would have
5 been 16 gauge.

6 Q. Was it ever 17 gauge, an Artisan
7 sink?

8 A. Way back maybe when All Granite
9 started dealing with Artisan.

10 Q. Would Artisan have given All
11 Granite a spec sheet like this to distribute?

12 A. To the best of my knowledge, no.

13 Q. Why do you say that?

14 A. Well, I don't -- just because I'm
15 going by what I do in my territory right now,
16 I don't provide something like this. I've
17 never seen a sheet like this. To me this is
18 something that's produced -- was produced by
19 them. The situation here of -- is -- they
20 have on here a 204 nickel bearing stainless
21 steel where it's a 304. She told me on the
22 phone that she hand wrote a 3 over that
23 because they told her it was 304 because she
24 had inquired. So just -- you know, it's not a
25 sheet that we would have given them.

1 J. AMABILE

2 customer customer by customer. And the first
3 name on the list, Robert Luzinski,
4 L-U-Z-I-N-S-K-I.

5 Do you know who he is?

6 A. Yes, I do.

7 Q. Did you speak to him directly
8 yourself?

9 A. I did.

10 Q. Okay. Let's back up now. When
11 did Mr. Luzinski first contact Artisan, if you
12 know?

13 A. I don't know the exact date.

14 Q. How about a time period?

15 A. I want to say it was September.
16 In that ball park. Beginning of.

17 Q. Okay. And when he called Artisan
18 who did he speak with?

19 A. I don't know but he would have
20 spoke to one of the customer service women in
21 the office.

22 Q. And what's their process for
23 recording such a conversation? Is there a
24 procedure that's followed?

25 A. Recording just with a -- you know,

1 J. AMABILE

2 a note.

3 Q. Telephone message?

4 A. Yeah. Telephone message.

5 Q. Would that have a been handed to
6 you?

7 A. Yes. It was handed to me.

8 Q. Okay. And do you recall what that
9 note said?

10 A. What the note said, no. It was --
11 if I remember correctly, in Mr. Luzinski's
12 case, it was -- he was looking for a grid for
13 his sink.

14 Q. And do you know why he called
15 Artisan looking for a grid?

16 A. Because he was told that that was
17 the sink that he had.

18 Q. Do you have a copy of this note
19 that was given to you, the original telephone
20 message?

21 A. I don't.

22 Q. Would that have been thrown out
23 after the phone call was received?

24 A. Initial visit, yeah. I mean,
25 initial phone call.

1 J. AMABILE

2 time frame when his countertop sink had been
3 installed at the time he called?

4 A. That I don't know.

5 Q. Okay. Is there any sort of
6 written documentation about your conversations
7 or visits with Mr. Luzinski?

8 A. No.

9 Q. Do you ever keep any notes on your
10 computer, your log book?

11 A. I may have. I'd have to go back
12 in my Outlook finder to see if I have
13 something in there. To my recollection it
14 would just be a visit, you know, a date.

15 Q. Do you typically log that into
16 your book?

17 A. I typically log my appointments.
18 That was -- to be truthful with you, he was
19 kind of on my way -- he's on my way home so it
20 was just, you know, Hey, I'll bring it to you,
21 and it wasn't like an appointment where I'm
22 coming out this day to...

23 Q. Okay. Did you end up leaving a
24 grid with Mr. Luzinski?

25 A. No. Because it did not fit the

1 J. AMABILE

2 know, concerned as to where he stood with not
3 having an Artisan sink. And as of this date
4 that's still -- you know, there is no
5 conclusion to that so...

6 Q. Has anything been done to his
7 countertop installation/sink? Has it been
8 removed?

9 A. No.

10 Q. Bolted in any way, as far as you
11 know.

12 A. No.

13 Q. Okay. Let's go to the second name
14 on this list, Mr. Charles Nagle.

15 A. Um-hum.

16 Q. Do you recall speaking with him?

17 A. I did speak with Mr. Nagle.

18 Q. Okay. Would the process have
19 started the same way? Would Mr. Nagle have
20 called your company and left a message with
21 customer service?

22 A. Yes.

23 Q. Would there have been a note
24 created again?

25 A. Once again, we just use a -- just

1 J. AMABILE

2 a call note, you know, to call this customer.

3 Q. Is there any record of that call
4 note?

5 A. There isn't.

6 Q. Okay. Can you explain the
7 substance of Mr. Nagle's call?

8 A. Once again, Mr. Nagle had --
9 actually had called us for a grid. I actually
10 called Mr. Nagle to speak to him in reference
11 to that to find out --

12 Q. So you returned his initial phone
13 call.

14 A. No. I actually had called Mr.
15 Nagle to see where he had purchased his sink
16 from. There was a customer looking for a
17 grid. I called him -- returned his call to
18 find out who, where and how he, you know,
19 got -- where he got his sink from, and he
20 proceeded to tell me he received his sink when
21 he purchased the countertop from the -- he was
22 the Ridgefield location, I believe.

23 Q. Um-hum. And do you know whether
24 Mr. Nagle was told at the time he purchased
25 the sink that he was receiving an Artisan

1 J. AMABILE

2 A. Yes. And that it would be 16
3 gauge.

4 Q. And where did he -- if you know,
5 where did he purchase his sink? Was it
6 Ridgefield Park or South Plainfield?

7 A. I want to say that he was South
8 Plainfield. I don't know for sure but --

9 Q. Okay. That's fine.
10 Okay. Let's tackle the next name.
11 Larry Luchan.

12 A. Um-hum.

13 Q. Okay. Let's start at the
14 beginning. Did this contact initiate the same
15 way with a telephone call to the company and a
16 phone message?

17 A. Yes. Larry -- I have not
18 personally spoken to Larry. I do know that
19 Larry, A, purchased a countertop from All
20 Granite & Marble and that he's looking for a
21 grid. The scenario -- you know, the scenario
22 is laid out for the same exact situation that
23 everybody -- that most of them called looking
24 for a grid.

25 Q. Who spoke to Mr. Luchan on behalf

1 J. AMABILE

2 of Artisan?

3 A. It would be one of the customer
4 service women.

5 Q. Okay. Did you attempt to call him
6 back?

7 A. I did attempt to call him back. I
8 have not spoke to him, though.

9 Q. You left a message.

10 A. It's fairly recent, yeah. I
11 believe in Larry's case I don't think there is
12 a message. I mean, the phone just rings.

13 Q. Okay. So you have no idea whether
14 he was told at the time of installation he was
15 promised an Artisan sink or not?

16 A. I don't.

17 Q. Okay.

18 A. I just know that he was told to
19 contact us, that he had an Artisan sink.

20 Q. Okay. Fine. Thank you.

21 Now, the final name on this list
22 is Paul Conrad and it indicates two
23 installations, also daughter's sink. What
24 does that mean?

25 A. All Granite did two installations

1 J. AMABILE

2 for him, one for him and one for his daughter.

3 Q. Would that have been done at the
4 same time, as far as you know?

5 A. That I don't know.

6 Q. And, again, did he contact Artisan
7 and leave a phone message which was referred
8 to you?

9 A. Yes. He contacted Artisan in
10 reference to purchasing grids.

11 Q. Did you call him back?

12 A. I did not, actually. One of the
13 customer service women in the office returned
14 his call which then, after that -- after that,
15 and they found out who he had purchased his
16 sink from, or his countertop from. In our
17 case, sink. You know, that's what we ask.
18 That's when it was given to me.

19 And then I had spoke to Mr.
20 Conrad. Mr. Conrad had basically once again
21 been told that he had an Artisan sink. I
22 believe he might have been referred to our
23 website which is where he got our number from
24 and called our number.

25 Q. Okay. Do you know whether he was

1 J. AMABILE

2 Granite sold a bottom grid for the sink.

3 And do you know whether Ms.

4 Anderson told All Granite who she was when she
5 called the company?

6 MR. MALTBIE: Objection to form.

7 Q. Did she identify herself as Ms.
8 Anderson and I purchased a countertop a week
9 ago, do you know?

10 A. That I don't know.

11 Q. Okay. If we go back to paragraph
12 8, it states, "On January I was contacted by
13 Joseph Amabile of Artisan who explained to me
14 that the sink I received from All Granite may
15 not be an Artisan sink."

16 Can you tell me the substance of
17 the phone call you had with Ms. Anderson on
18 January 22nd?

19 A. Basically I phone called her
20 because of the initial contact with us. When
21 it first started coming to light, obviously we
22 kept track of who was -- where they got their
23 countertop -- sink from. So when I called --
24 you know, she was someone that had been given
25 to me that she called for a grid and was

1 J. AMABILE

2 looking for -- and that she had purchased it
3 from there.

4 Q. Um-hum.

5 A. So I called her to ask her some
6 questions about that. So I asked her to, you
7 know, describe the sink to me, describe the
8 logo. She described exactly what we know to
9 be, you know, the counterfeit logo. And
10 that's -- that was really it.

11 I explained to her exactly what it
12 says here, that this was taking place. She
13 said that she had been referred -- she had --
14 I believe she had gotten our phone number off
15 of our website which -- like it says in here,
16 that she had seen the logo which was similar.

17 Q. Okay. In paragraph 9, "We
18 subsequently spoke to an attorney for
19 Artisan."

20 Do you know who that would have
21 been? Would that have been Mr. Maltbie?

22 A. I don't know.

23 Q. Okay. Take a look at paragraph
24 10. She says, "While I did not go to All
25 Granite seeking to have an Artisan sink

EXHIBIT Q

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARTISAN MANUFACTURING
CORPORATION,

Plaintiff,

No. 07-CV-11278

(WHP)

-against-

ALL GRANITE & MARBLE
CORPORATION,

Defendant.

- - - - -X

DEPOSITION OF ALLISON DAVIES

New York, New York

Wednesday, February 6, 2008

Reported by:

JEFFREY BENZ, CRR, RMR

JOB NO. 15219

1 Davies

2 Q. And what year was that?

3 A. That was 1999.

4 Q. 1999?

5 A. Yes.

6 Q. So between 1990 and 1999, were you
7 employed?

8 A. Yes.

9 Q. And in what capacity?

10 A. I was a preschool teacher for five
11 years, and I also worked at an art museum.

12 Q. When did you first start working in
13 the private security -- let me rephrase that --
14 in the private investigation business?

15 A. It was four years ago.

16 Q. Have you been with the same company
17 this whole time?

18 A. Yes.

19 Q. Did you receive any special training
20 from the company you worked for?

21 A. Yes.

22 Q. And what training did that involve?
23 What did that involve?

24 A. We are trained in specific products
25 that we investigate.

1 Davies

2 Q. Could you give me any more specific
3 detail?

4 A. A representative from a company that
5 we work for, that we do investigations for, will
6 come to the office and show us a real -- an
7 authentic product, and also a counterfeit
8 product, and so they teach us ways to detect
9 counterfeit products.

10 Q. Is most of the work you do involving
11 trademark goods?

12 A. Yes.

13 Q. Do you deal with other types of
14 investigations besides trademarked goods?

15 A. No.

16 Q. So in your four years with Abacus,
17 you've been working with investigating
18 trademarked goods.

19 A. Yes.

20 Q. Now, you used the word "counterfeit" a
21 minute or so ago. What do you mean by the term
22 "counterfeit"?

23 MR. MALTBIE: Objection to form.

24 Q. You can answer if you understand.

25 MR. MALTBIE: If you understand, you

1 Davies

2 Okay, let's take a look at the second
3 paragraph. It refers to initials, AO, which --
4 AO and AD.

5 Now, I assume AD refers to Allison
6 Davies, correct?

7 A. Yes.

8 Q. Who is AO?

9 A. Andrew Oberfeldt.

10 Q. Is he an employee of your company?

11 A. He's the owner of the company.

12 Q. Can you spell his last name for us.

13 A. O-B-E-R-F-E-L-D-T.

14 Q. And did he accompany you on that day
15 to present a husband and wife couple?

16 A. No.

17 MR. MALTBIE: Objection to form.

18 What day?

19 The day they went to Artisan, or the
20 day they went to All Granite?

21 Q. Let me rephrase that question.

22 On November 2, 2007, you yourself and
23 Mr. Oberfeldt visited Artisan's facilities in
24 Newark, correct?

25 A. Yes.

1 Davies

2 Q. Can you explain or can you describe
3 for me what took place that day.

4 A. It was a training session. We went
5 out there to meet Chuck and Joe to view a --
6 a -- an authentic sink, and also read over
7 materials or -- any kind of information that had
8 to do with the sink.

9 Q. So they showed you sinks that day.

10 A. Yes.

11 Q. What kind of material did they show
12 you, if you recall?

13 A. Various kitchen magazines, life style
14 magazines, with ads, with their product in it.

15 Q. Did they give you material to take
16 that day?

17 A. Yes.

18 Q. Do you recall what they gave you?

19 A. Two sink magazines called Kitchen
20 Trends -- or two house design magazines.

21 Q. Okay. Thank you.

22 That day, did they explain to you the
23 construction of the sinks, in particular,
24 whether they're 16-gauge or 18-gauge stainless
25 steel?

1 Davies

2 A. Yes.

3 Q. How did they explain that to you, if
4 you recall?

5 A. They showed us a sink and told us that
6 they were 16-gauge steel, and on the underside,
7 they showed a special padding that was also --
8 that was part of the sink.

9 Q. Was that strictly on the underside of
10 the sink?

11 A. Yes, and the sides. Well, the whole
12 underside.

13 Q. So that would be the bottom and the
14 sides of the sink.

15 A. Yes.

16 Q. Thank you. Okay.

17 Let's take a look at the third
18 paragraph of your report, which states, "On
19 November 6, 2007, AO and AD visited the All
20 Granite & Marble Corporation in South
21 Plainfield, New Jersey.

22 So back to my earlier question, what
23 was the purpose of Mr. Oberfeldt accompanying
24 you on that visit, on November 6, 2007?

25 A. I don't know how to answer that.

EXHIBIT R

1
2 UNITED STATES DISTRICT COURT
3 FOR THE SOUTHERN DISTRICT OF NEW YORK
4

ARTISAN MANUFACTURING)
5 CORPORATION,)

6 Plaintiff,)

7 vs.)

) 07-cv-11278 (WHP)

8 ALL GRANITE & MARBLE)
CORPORATION,)

9 Defendant.)
10 -----)

11
12
13 CONFIDENTIAL - ATTORNEYS' EYES ONLY
14 DEPOSITION OF ROBERT DEJA
15 Parsippany, New Jersey
16 Monday, February 11, 2008
17
18
19
20
21

22 Reported by:

FRANCIS X. FREDERICK, CSR, RPR, RMR

23 JOB NO. 15245B
24
25

1 R. DEJA - CONFIDENTIAL - ATTORNEYS' EYES ONLY
2 guy is just -- he's in Poland and he's like
3 frequently in the company on the basis of, you
4 know, if we have a job for him we send it
5 over. He's Internet specialist. Creates the
6 websites and stuff.

7 Q. Is that it?

8 A. That's it.

9 Q. How many salespeople are located
10 in South Plainfield?

11 A. In South Plainfield, hum.

12 Seven including Blaze and Lucas.
13 They're not directly sales but they help out
14 sometimes if there is a need and there are
15 lots of customers, especially on Saturdays
16 they help out. So I would say seven.

17 Q. And how about Ridgefield Park?

18 A. I think around ten.

19 Q. And Stroudsburg?

20 A. Three.

21 Q. And how are your salespeople
22 compensated? Are they -- is it straight
23 salary, salary plus commission, or commission
24 only?

25 A. Straight salary.

EXHIBIT S

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ARTISAN MANUFACTURING
CORPORATION,

Plaintiff,

No. 07-CV-11278

(WHP)

-against-

ALL GRANITE & MARBLE
CORPORATION,

Defendant.

- - - - -x

DEPOSITION OF JIAN XIONG HAN

New York, New York

Tuesday, February 5, 2008

CONTAINS CONFIDENTIAL PORTIONS

Reported by:

JEFFREY BENZ, CRR, RMR

JOB NO. 15218

1 Han

2 fourth claim set forth in the complaint, which
3 appears on page 8. Again, I understand you're
4 not an attorney, but do you know what false
5 advertising is?

6 A. Not in legal term, I don't understand.

7 Q. Can you refer your attention to
8 paragraph 39. Can I ask you to read paragraph
9 39.

10 A. "Upon information and belief, the
11 aforesaid acts of All Granite constitute false
12 advertising, in that All Granite informs
13 customers that they will be receiving an
14 authentic Artisan brand sink when purchasing All
15 Granite's kitchen installation services, but
16 then installed a sink that is not manufactured,
17 sold, priced, or authorized by Artisan."

18 Q. Are those allegations the basis for
19 the false advertising claim?

20 MR. MALTBIE: Objection to form.

21 Q. You can answer the question.

22 A. I don't understand what is false
23 advertising. So I can't answer this question,
24 no.

25 Q. Did Artisan ever conduct any tests on

1 Han

2 an All Granite sink?

3 A. No.

4 Q. And when I say tests, I mean
5 engineering tests, having an outside consultant
6 or engineering firm look at an Artisan sink.
7 I -- correct that. Look at an All Granite sink.

8 A. No.

9 Q. And finally, let me just refer your
10 attention to the eighth claim for relief that's
11 set forth on page 10 of the complaint.

12 And in particular, I'd like you to
13 look at paragraph 61.

14 Do you understand what a bait and
15 switch is?

16 A. Yes.

17 Q. Can you explain that to me.

18 A. Basically, if you promise me to
19 something, and then tell me you're going to get
20 this, but you change to something else that is
21 not meeting my expectation, that is a bait and
22 switch.

23 Q. Thank you.

24 With respect to the alleged bait and
25 switch, how does All Granite lure its customers

1 Han

2 Are there any documents in Artisan's possession
3 which indicate an authorized dealer relationship
4 between the two companies?

5 A. Invoices.

6 Q. Beyond invoices, are there any sort of
7 agreements between the two companies?

8 A. On the paper?

9 Q. On paper, correct.

10 A. No.

11 Q. Let me refer your attention to Request
12 Number 6. I ask you to read that request.

13 (The witness read.)

14 Q. Are you aware of any documents
15 indicating the termination of the relationship
16 between All Granite and Artisan?

17 A. Say that again?

18 Q. Is there any written documentation
19 indicating the termination of the relationship?

20 A. Termination.

21 Q. Termination, correct.

22 A. No.

23 Q. How was the relationship terminated,
24 if in fact it was?

25 A. It never has been until we send you

1 Han
2 the cease-and-desist letter.

3 Q. Okay. Thank you.

4 Let me refer your attention to Request
5 Number 10.

6 A. Page?

7 Q. Page 6, Request Number 10.

8 A. Okay.

9 Q. Does Artisan have any documentation
10 with respect to its alleged consumer complaints?

11 A. I don't know.

12 Q. Who would know that?

13 A. Joe.

14 Q. Thank you.

15 Let me refer your attention to Request
16 Number 16, appearing on page 8.

17 Do you know the identity of the
18 manufacturer of Artisan sinks?

19 A. Yes.

20 (Transcript continues in
21 attorneys'-eyes-only section.)

22

23

24

25

1 Han

2 Q. Okay. Let me refer you now to
3 paragraph 14 of this declaration. Okay?

4 The first sentence states that Artisan
5 learned from All Granite customers that All
6 Granite was still displaying Artisan brand
7 sinks. And sinks is plural.

8 Are you aware of there having been
9 more than one sink on display in an All Granite
10 showroom? And by sink, I mean an Artisan sink.

11 A. I don't know --

12 Q. Your PI located one Artisan sink on
13 display in the South Plainfield showroom. Were
14 you aware of any other sinks being on display,
15 any Artisan sinks?

16 A. I don't know.

17 Q. Okay. Turning to page 6. Top of the
18 page, your declaration says that customers of
19 All Granite began contacting Artisan to purchase
20 accessories for the sinks and to report problems
21 with the sinks.

22 Do you have any firsthand knowledge
23 about the reports of these customers?

24 A. No.

25 MR. MALTBIIE: Objection to form.

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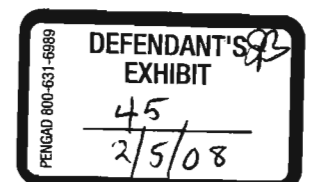
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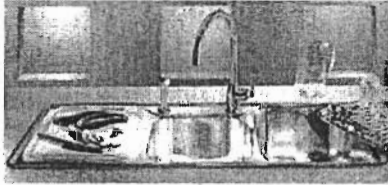
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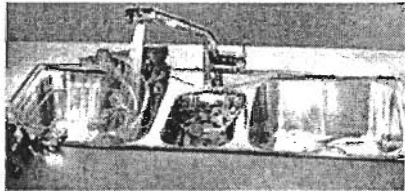
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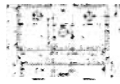
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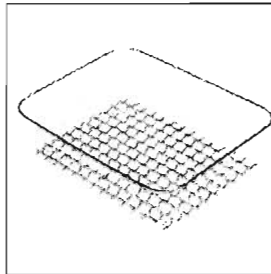
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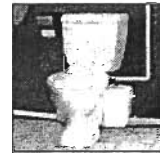
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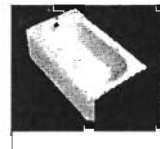
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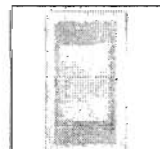
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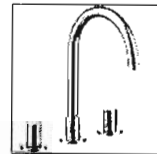
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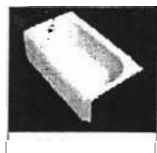
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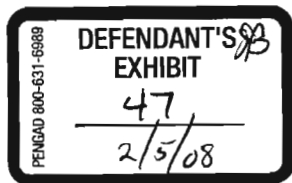
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Artisan White Synthetic Cutting Board - AR-40W

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Artisan White Synthetic Cutting Board - AR-40W

by [Franke](#) | Model Number: AR-40W

List Price: ~~\$139.00~~

Our Price: **\$90.35**

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Quantity: 1

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Artisan White Synthetic Cutting Board - AR-40W
White Synthetic Cutting Board. (Not Shown.)

Shown in Teak Wood. (Sold separately, see Related Items to order.)

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Int. Cl.: 19

Prior U.S. Cls.: 1, 12, 33 and 50

United States Patent and Trademark Office

Reg. No. 2,910,770

Registered Dec. 14, 2004

**TRADEMARK
PRINCIPAL REGISTER**

 **ARTISAN**

BUTTURA & SONS, INC. (VERMONT CORPORATION)

BOX 606, BOYNTON STREET
BARRE, VT 05641

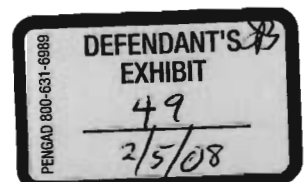
FOR: GRANITE; MONUMENTS OF GRANITE;
GRANITE TOMBSTONES; MAUSOLEUMS OF
GRANITE; BUSTS OF GRANITE; GRAVE MAR-

KERS OF GRANITE, IN CLASS 19 (U.S. CLS. 1, 12, 33
AND 50).

FIRST USE 1-1-2002; IN COMMERCE 1-1-2002.

SER. NO. 78-294,587, FILED 9-1-2003.

JAMES GRIFFIN, EXAMINING ATTORNEY



Int. Cls.: 3 and 17

Prior U.S. Cls.: 1, 4, 5, 6, 12, 13, 35, 50, 51 and 52

Reg. No. 2,297,942

United States Patent and Trademark Office

Registered Dec. 7, 1999

**TRADEMARK
PRINCIPAL REGISTER**

ARTISAN

DRAZGA, EDWARD A. (UNITED STATES CITIZEN)
302 PLEASANT DRIVE
CHERRY HILL, NJ 08003

FOR: CLEANERS FOR USE ON MARBLE, GRANITE, AND OTHER STONE OR TILE PRODUCTS, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

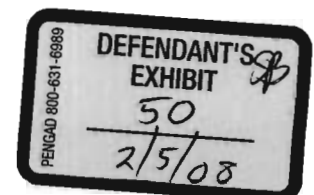
FIRST USE 11-0-1997; IN COMMERCE 11-0-1997.

FOR: SILICONE-BASED SEALANTS FOR USE ON MARBLE, GRANITE, AND OTHER STONE OR TILE PRODUCTS, IN CLASS 17 (U.S. CLS. 1, 5, 12, 13, 35 AND 50).

FIRST USE 11-0-1997; IN COMMERCE 11-0-1997.

SER. NO. 75-551,905, FILED 9-11-1998.

CAROLINE WOOD, EXAMINING ATTORNEY





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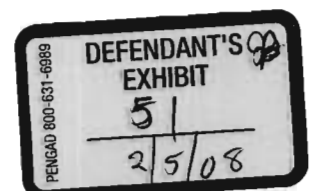
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ARTISAN

Word Mark	ARTISAN
Goods and Services	IC 011. US 013 021 023 031 034. G & S: ceiling fans
Standard Characters Claimed	
Mark Drawing Code	(4) STANDARD CHARACTER MARK
Serial Number	78582825
Filing Date	March 8, 2005
Current Filing Basis	1B
Original Filing Basis	1B
Published for Opposition	December 13, 2005
Owner	(APPLICANT) Hunter Fan Company CORPORATION DELAWARE 2500 Frisco Avenue Memphis TENNESSEE 38114
Assignment Recorded	ASSIGNMENT RECORDED
Attorney of Record	Valerie Walsh Johnson
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE

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NOTE: If any data on this notice is incorrect, please fax a request for correction to the Intent to Use Unit at 571-273-9550. Please include the serial number of your application on ALL correspondence with the USPTO.

ISSUE DATE: Mar 7, 2006

VALERIE WALSH JOHNSON, ESQ.
BAKER, DONELSON, BEARMAN, CALDWELL & BER
165 MADISON AVE STE 2000
MEMPHIS, TN 38103-2799

ATTORNEY
REFERENCE NUMBER

2786300-ARTI

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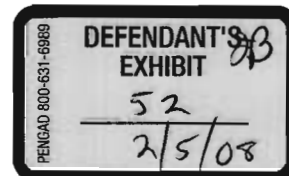
SERIAL NUMBER: 78/582825
MARK: ARTISAN (STANDARD CHARACTER MARK)
OWNER: Hunter Fan Company
2500 Frisco Avenue
Memphis, TENNESSEE 38114

This application has the following bases, but not necessarily for all listed goods/services:

Section 1(a): NO

Section 1(b): YES

Section 44(e): NO

GOODS/SERVICES BY INTERNATIONAL CLASS

011 - ceiling fans

ALL OF THE GOODS/SERVICES IN EACH CLASS ARE LISTED

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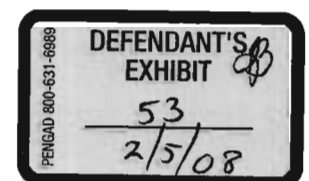
<h2 style="margin: 0;">Artisan Manufacturing</h2> <p style="margin: 10px 0 0 0;">1070 Wright Street Bldg. 643 Oakland, CA 94621 phone: (510) 562-9133</p>							
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<p>Staff size: 3 Owner: Mr. Mate Marlais</p>							
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Booth last updated 11/11/2003





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MARINE SERVICES

COMPANY HISTORY/CONTACT

ABOUT ARTISAN MANUFACTURING COMPANY

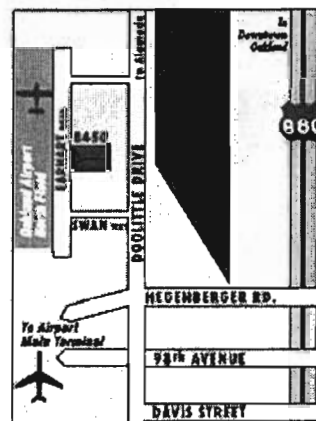
Founded in 1957, and now under the third generation of family ownership, Artisan Manufacturing Company has provided quality metal manufacturing services in the East Bay for almost a half of a century. We pride ourselves in our attention to the customer, in our craftsmanship, and in the resulting quality of our work.

CONTACT INFORMATION

SEE OUR CLIENTS' LIST

Contact: Jeff or Dave Marlais
**Artisan
Manufacturing Company**
8450 Earhart Road
Oakland, CA 94621

Office: 510.562.9133
Fax: 510.562.4243
Cell: 510.207.9344
Email: info@artisanmfgco.com



Int. Cls.: 7 and 37

Prior U.S. Cls.: 13, 19, 21, 23, 31, 34, 35, 100, 103 and 106

Reg. No. 3,173,799

United States Patent and Trademark Office

Registered Nov. 21, 2006

**TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER**

ARTISAN

ARTISAN MACHINE, INC. (INDIANA CORPORATION)
59866 MYRTLE ROAD
SOUTH BEND, IN 46614

FOR: GRINDING MACHINES FOR RUBBER PROCESSING AND RECYCLING; MACHINE PARTS NAMELY, MILLSTONES; MACHINE PARTS, NAMELY, BEARING HOUSINGS; MACHINE PARTS, NAMELY, BEARING INSERTS; MACHINE PARTS, NAMELY, ROLLER BEARINGS; MACHINES AND MACHINE TOOLS FOR THE CUTTING AND FORMING OF MATERIALS; MILLING MACHINES; RUBBER FORMING MACHINES, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FIRST USE 6-1-2000; IN COMMERCE 6-1-2000.

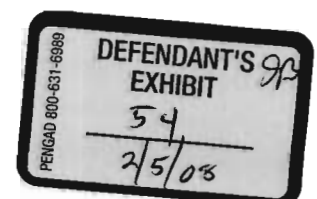
FOR: REBUILDING MACHINES THAT HAVE BEEN WORN OR PARTIALLY DESTROYED; REPAIR OR MAINTENANCE OF RUBBER-GOODS MANUFACTURING MACHINES AND APPARATUS, IN CLASS 37 (U.S. CLS. 100, 103 AND 106).

FIRST USE 2-3-1993; IN COMMERCE 2-3-1993.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-771,130, FILED 12-12-2005.

RAUL CORDOVA, EXAMINING ATTORNEY



Int. Cl.: 11

Prior U.S. Cls.: 13, 21, 23, 31, and 34

United States Patent and Trademark Office

Reg. No. 3,276,768

Registered Aug. 7, 2007

**TRADEMARK
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PAINI S.P.A. RUBINETTERIE (ITALY CORPORATION)
VIA CREMOSINA, 43
POGNO (NOVARA), ITALY 28076

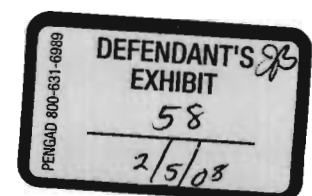
FOR: PLUMBING FIXTURES, NAMELY FAUCETS FOR SINKS, TUBS, SHOWERS AND BIDETS; HAND SHOWERS; FAUCET HANDLES; SHOWER HEADS; AND STRUCTURAL PARTS AND COMPONENTS THEREFORE, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FIRST USE 1-11-2005; IN COMMERCE 1-11-2005.

THE MARK LATOSCANA HAS NO SIGNIFICANCE IN THE PLUMBING FIXTURE TRADE OR INDUSTRY; HAS NO GEOGRAPHICAL SIGNIFICANCE; OR ANY MEANING IN A FOREIGN LANGUAGE. THE MARK LATOSCANA IS FANCIFUL.

SN 78-603,068, FILED 4-6-2005.

RONALD MCMORROW, EXAMINING ATTORNEY



Int. Cl.: 11

Prior U.S. Cls.: 13, 21, 23, 31 and 34

United States Patent and Trademark Office

Reg. No. 3,113,910

Registered July 11, 2006

**TRADEMARK
PRINCIPAL REGISTER**



AQUADIS INTERNATIONAL INC. (CANADA
CORPORATION)
1190, MICHELE-BOHEC
BLAINVILLE, CANADA

FOR: FAUCETS; SHOWER HEADS; HAND
SHOWER SETS CONSISTING OF PRESSURE BAL-
ANCE VALVES FOR REGULATING WATER PRES-
SURE, PLUMBING FIXTURES, NAMELY, HAND
HELD METAL HOSES AND SHOWER HEADS FOR
HAND SHOWERING; THERMOSTATIC VALVES;
PLUMBING FITTINGS, NAMELY, VALVES FOR
TOILETS; PLUMBING FIXTURES, NAMELY,
SHOWER ARMS; PLUMBING SUPPLIES, NAMELY,
SINK STRAINERS; TOILETS, TOILET SEATS;

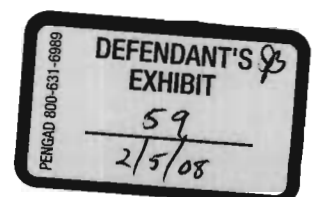
SINKS; SHOWER DOORS; SHOWER ENCLOSURES;
SHOWER PANELS, IN CLASS 11 (U.S. CLS. 13, 21, 23,
31 AND 34).

FIRST USE 3-1-1993; IN COMMERCE 1-1-1999.

THE MARK CONSISTS OF THE WORD AQUADIS
IN A RECTANGLE SURROUNDED BY TWO BOR-
DERS; THE DOT ABOVE THE LETTER "I" FEAT-
URES A STYLIZED SPLASH DESIGN.

SER. NO. 78-543,945, FILED 1-7-2005.

SONYA STEPHENS, EXAMINING ATTORNEY



Int. Cl.: 11

Prior U.S. Cls.: 13, 21, 23, 31 and 34

Reg. No. 1,985,225

United States Patent and Trademark Office

Registered July 9, 1996

**TRADEMARK
PRINCIPAL REGISTER**



WHITE'S PLUMBING SUPPLIES, INC. (CON-
NECTICUT CORPORATION)
582 ORANGE AVENUE
WEST HAVEN, CT 06516

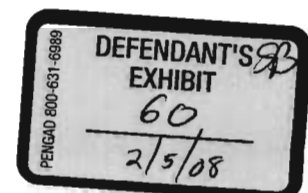
FOR: PLUMBING SUPPLIES, NAMELY SINK
STRAINERS; SINKS; SHOWERS; TOILETS;
AND WHIRLPOOL BATHS, IN CLASS 11 (U.S.
CLS. 13, 21, 23, 31 AND 34).

FIRST USE 11-7-1994; IN COMMERCE
11-7-1994.

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "COLLECTION", APART
FROM THE MARK AS SHOWN.

SER. NO. 74-634,927, FILED 2-16-1995.

J. C. DEMOS, EXAMINING ATTORNEY



Int. Cl.: 11

Prior U.S. Cls.: 13, 21, 23, 31 and 34

United States Patent and Trademark Office

Reg. No. 2,870,888

Registered Aug. 10, 2004

**TRADEMARK
PRINCIPAL REGISTER**

FHP[®]KINDRED USA

NIRO-PLAN AG (SWITZERLAND CORPORATION)
DORFBACHSTRASSE 2
AARBURG, SWITZERLAND CH-4663

NO CLAIM IS MADE TO THE EXCLUSIVE
RIGHT TO USE "USA", APART FROM THE MARK
AS SHOWN.

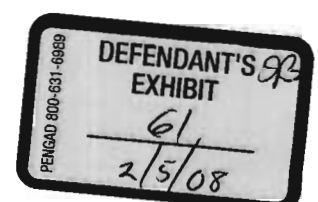
FOR: SINKS, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31
AND 34).

SER. NO. 76-438,616, FILED 8-7-2002.

FIRST USE 11-0-2002; IN COMMERCE 11-0-2002.

OWNER OF U.S. REG. NO. 2,609,855.

ANN LINNEHAN, EXAMINING ATTORNEY


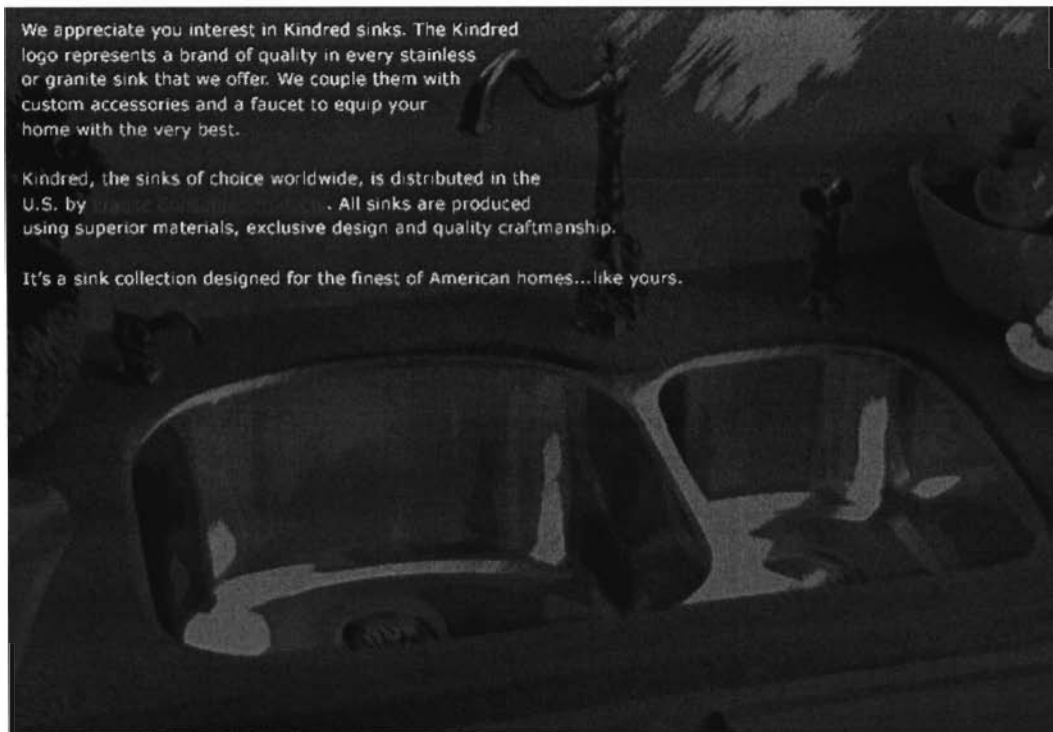


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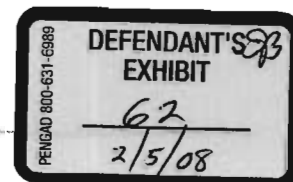
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Word Mark	R ROYAL USA
Goods and Services	IC 011. US 013 021 023 031 034. G & S: Sinks and basins, namely, wash basins and sink basins. FIRST USE: 20050101. FIRST USE IN COMMERCE: 20050101
Mark Drawing Code	(3) DESIGN PLUS WORDS, LETTERS, AND/OR NUMBERS
Design Search Code	24.11.02 - Crowns open at the top
Serial Number	77198873
Filing Date	June 6, 2007
Current Filing Basis	1A
Original Filing Basis	1A
Owner	(APPLICANT) Royal USA, Inc. CORPORATION VIRGINIA K 14705 Willard Road Chantilly VIRGINIA 20151
Attorney of Record	M. Keith Blankenship
Disclaimer	NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE USA APART FROM THE MARK AS SHOWN
Description of Mark	Color is not claimed as a feature of the mark. The mark consists of A crown bearing the letter 'R' with the phrase "ROYAL USA" underneath..
Type of Mark	TRADEMARK
Register	PRINCIPAL
Live/Dead Indicator	LIVE



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Kitchen Sinks and Accessories

DESIGN, STYLE, QUALITY AND FUNCTIONALITY

LIFETIME LIMITED WARRANTY

ROYAL SINKS HAVE BEEN TESTED AND APPROVED FOR USE IN THE US MARKET

HOME

COMPANY

PRODUCTS

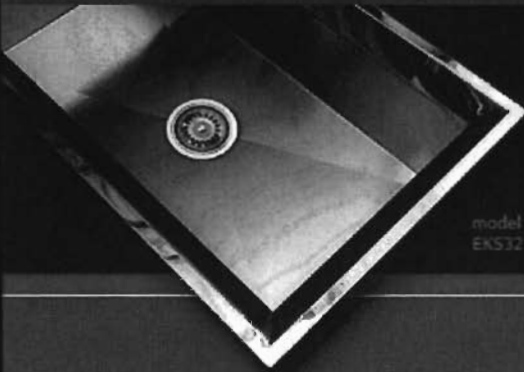
DXF CUT-OUT

WARRANTY

CONTACT US

DEALER LOGIN

WE PROUDLY PRESENT THIS LINE OF **QUALITY STAINLESS STEEL SINKS** FOR THE CONTEMPORARY HOME



model number:
EKS3218



model number:
EFD3320



Quality shows itself



model number:
769-905R



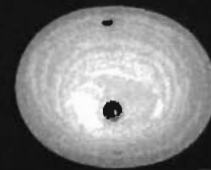
model number:
769-1001



model number:
769-1270



model number:
769-101



model number:
769-W7709

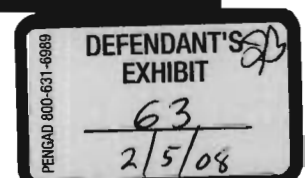
STAINLESS STEEL IN THE HEART OF THE KITCHEN

Our stainless steel sinks are premium 18 gauge units.

The Extra Double basin kitchen sink brings along a Silent Shield Plus sound-absorption technology exclusively from Royal USA to offer better protection for your 18-gauge stainless steel kitchen sink.

ROYAL SINKS have been tested and approved for use in the US market

14705-K Willard Road Chantilly, VA 20151 | info@royalsink.com | www.royalsink.com
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Int. Cls.: 11, 19 and 21

Prior U.S. Cls.: 1, 2, 12, 13, 21, 23, 29, 30, 31, 33, 34, 40
and 50

Reg. No. 2,951,262

Registered May 17, 2005

United States Patent and Trademark Office

**TRADEMARK
PRINCIPAL REGISTER**



R A K CERAMICS (P.S.C.) (ARAB EMIRATES
PUBLIC STOCK COMPANY)

AL JAZEIRA AL HAMRA

MAIN ROAD

AL KHAIMAH, ARAB EMIRATES

FOR: PLUMBING FIXTURES, NAMELY, BATH-
ROOM SINKS; BATH TUBS; SHOWER TRAYS,
NAMELY BASES TO STAND-ALONE SHOWER EN-
CLOSURES; KITCHEN SINKS; UTILITY SINKS;
LAVATORY AND SINK TRAPS, IN CLASS 11 (U.S.
CLS. 13, 21, 23, 31 AND 34).

FIRST USE 4-0-2000; IN COMMERCE 4-0-2000.

FOR: NON-METAL TILES FOR WALLS AND
FLOORS, IN CLASS 19 (U.S. CLS. 1, 12, 33 AND 50).

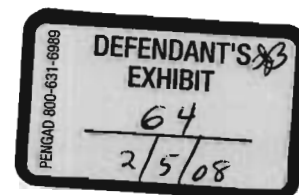
FIRST USE 7-2-1996; IN COMMERCE 7-2-1996.

FOR: WASH BASINS AND WASH BASIN
TROUGHES; SOAP HOLDERS; TOWEL RACKS, IN
CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FIRST USE 4-0-2000; IN COMMERCE 4-0-2000.

SER. NO. 78-141,775, FILED 7-8-2002.

EUGENIA MARTIN, EXAMINING ATTORNEY



Int. Cl.: 24

Prior U.S. Cls.: 42 and 50

United States Patent and Trademark Office

Reg. No. 2,842,681

Registered May 18, 2004

**TRADEMARK
PRINCIPAL REGISTER**



TOP CARE, INC. (NEW YORK CORPORATION)
10 JAY STREET, SUITE 402
BROOKLYN, NY 11201

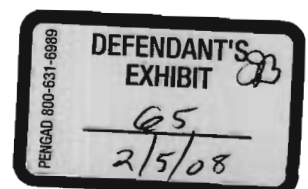
FOR: SHOWER CURTAINS, SHOWER CURTAIN
LINERS, BATH LINEN, FABRIC COVERED SHOW-
ER RING, SHOWER CURTAIN ENSEMBLES OR
SET, SINK SKIRTS, BATHROOM RUGS, BATH
TOWELS, TOILET SEAT COVERS AND SHOWER

WINDOW CURTAINS, IN CLASS 24 (U.S. CLS. 42
AND 50).

FIRST USE 3-1-2003; IN COMMERCE 3-1-2003.

SER. NO. 76-520,624, FILED 5-23-2003.

PAULA MAHONEY, EXAMINING ATTORNEY



Int. Cl.: 6

Prior U.S. Cls.: 2, 12, 13, 14, 23, 25 and 50

Reg. No. 2,529,411

United States Patent and Trademark Office

Registered Jan. 15, 2002

**TRADEMARK
PRINCIPAL REGISTER**



RICHMOND FOUNDRY, INC. (FLORIDA COR-
PORATION)
2501 SOUTH FRONT STREET
PHILADELPHIA, PA 19148 AND
GAOMI GUOHAO MALLEABLE IRON CO., LTD.
(CHINA CORPORATION)
ZHANGER VILLAGE, XIAZHUANG TOWN
GAOMI COUNTY, WEIFANG CITY
SHANGDONG PROVINCE, CHINA

FOR: PLUMBING EQUIPMENT, NAMELY, ME-
TAL SOIL PIPE FITTINGS, IN CLASS 6 (U.S. CLS. 2,
12, 13, 14, 23, 25 AND 50).

FIRST USE 2-22-2000; IN COMMERCE 2-22-2000.

SER. NO. 76-087,629, FILED 7-12-2000.

TRICIA THOMPCKINS, EXAMINING ATTORNEY

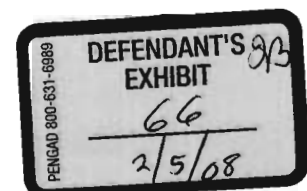


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Goods and Services IC 011. US 013 021 023 031 034. G & S: **sinks**. FIRST USE: 20030821. FIRST USE IN
 COMMERCE: 20030821
Mark Drawing Code (2) DESIGN ONLY
Design Search Code 05.05.03 - Fleur-de-lis
 05.05.25 - Daffodils; Iris (flower); Other flowers
Serial Number 77316683
Filing Date October 30, 2007
Current Filing Basis 1A
Original Filing Basis 1A
Published for Opposition March 18, 2008
Owner (APPLICANT) Artisan Manufacturing Corporation CORPORATION NEW YORK 1375
 Broadway, 3rd Floor New York NEW YORK 10018
Attorney of Record Louis S. Ederer
Description of Mark Color is not claimed as a feature of the mark.
Type of Mark TRADEMARK
Register PRINCIPAL
Live/Dead Indicator LIVE

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